

# Hawaiian Gazette.

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HONOLULU, H. T., FRIDAY, APRIL 24, 1903—SEMI-WEEKLY.

WHOLE No. 2481.

## NEW TELEPHONE FRANCHISE GOES BY THE BOARD

### House Takes Up Standard Bill From the Table and Beats It on the Vote.

#### IN THE HOUSE.

Because the clerk did not have his minutes ready, the House was nearly half an hour late in getting itself called to order yesterday morning. And this was the morning of the fifty-sixth day. The reading of the minutes in Hawaiian was dispensed with, however, and that saved a little time. Then the message from the Governor approving the County Bill was read and translated.

A communication came down from Secretary Carter stating that the Governor had signed numerous bills, among them the new jury bill. This invalidates the juries drawn for the May term.

The Committee on Health submitted a report on the bill to take away from the Board of Health its power to direct the disposition of the dead, showing that such action would imperil this cosmopolitan community.

This was not a report, really, because it was only signed by a minority of the committee, and it was rejected after some aimless discussion, leaving the bill still in the hands of the committee.

#### FEAT IN ANATOMY.

Then the House was going on pleasantly enough with the reading of the reports of special committees, when Chairman Andrade handed up a lot from the Judiciary Committee, whereupon Aylett moved that the House take up the order of the day. And Andrade protested, and Harris, and Vida, after which Aylett's motion was voted down, and the reading of committee reports went on. But there was bound to be trouble. There always is trouble when pet measures go up against Andrade's committee. It came on the bill to control the operation of foreign corporations within the Territory, a measure of large importance, upon which Andrade's committee made a favorable report. Kalama moved the adoption of the report, and there was some talk to the effect that members did not have copies of the bill, whereupon Kumalae came up with the usual motion to table the report to be considered with the bill. "All the members have not got copies of this bill," he said, "and should have them if they are to act with knowledge. I move that this report be tabled to be considered with the bill. I don't want to have any bill shoved down my throat unless it is brought before my face."

#### ANDRADE WARMS UP.

And there was not even a pause for the contemplation of this difficult anatomical feat. Kalama said, "You are likely to have some shoved down your throat. I second the motion to adopt."

"Not yet I ain't," yelled Kumalae. "Mr. Speaker," said Andrade, with some heat, "I object to this line of action at this late day. It has come to be so that all a member has to do to get a bill indefinitely postponed is to move that a report of the judiciary committee be laid on the table. It is an insult to that committee, which works at least as hard as any other in this House. It is an insult, I say, and I protest."

"I would say to the chairmen of committees," said the Speaker, "that these exhibitions of temper will not help them in the matter of their treatment at the hands of the House. On the contrary, displays of anger will be calculated to secure the defeat of their bills." And then he put the motion to adopt the committee's report, and it was adopted, and the business of the House went on smoothly until the noon recess. And it was all the consideration of the reports of standing committees.

#### AFTERNOON SESSION.

At the opening of the afternoon session a letter was read from Treasury Agent MacLennan stating that he would be glad to meet the special committee of the House, appointed to confer with him relative to the manner of

expending the fire claims million at 2 p. m. This committee consists of Harris, Vida, and Purdy. Harris asked the clerk to telephone and make the appointment for 3 o'clock, and then presented a number of reports from the finance committee. The first of these was against the Brown bill to make a trusteeship of the "Chinese Fund," and this was adopted.

The Finance Committee reported in favor of the Crabbe liquor license bill, amending it so as to limit the issuance of liquor licenses to citizens, or to corporations having citizens in the majority of their stock holdings. The bill was further amended to cut the license fee from \$750 to \$500, and to provide that no saloon shall be located within three hundred feet of a school or church. The report was adopted.

Kupihua tried to get in a report on a resolution appropriating money, but was shut out by a ruling of the Speaker to the effect that hereafter all such matters would go over without reading until the appropriation bills came to be considered—and that, it is probable, will not be at this session. "These things only take up the time of the House," said Beckley.

#### MEMBERS CALLED TO ORDER.

The House went on the regular order, and Harris tried to get Senate Bill 29, which is the loan bill, taken up. There was a wrangle, whereupon the Speaker said: "If the members did not take up so much time talking to each other, they might have passed the loan bill ten days ago." Then the bill passed second reading, and was made the special order for today. Taking the calendar in order, the House went into committee of the whole, with Greenwell in the chair, on the second reading of House Bill 18. The bill is amendatory of the laws governing the segregation of lepers, and was introduced by Kaniho, who defended the measure. It developed in the discussion, however, that the bill was directly in conflict with the provisions of the Paele bill, passed on Wednesday. Nevertheless, after the members had had some fun with their chairman, they passed it to second reading.

The committee rose and reported accordingly, but almost at once the House went into committee of the whole again, Jaeger in the chair this time, on the second reading of House bills 61 and 35. Bill 61 prohibits the storage of lumber, coal or firewood within the fire limits of Honolulu, and was passed. Bill 35 defines the fire limits, and that also was passed. Then the committee arose and reported accordingly.

The regular order was taken up, being the advancement of Senate bills to second reading. In the course of this the bill to prevent the destruction of food fishes was killed.

#### AS TO LOBSTERS.

Then an attempt was made to kill the bill providing for the appointment of a Fish Commissioner, likewise, and Knudsen made a speech in which he said that to kill this bill would be a step backward. "Why," he said, "I was in Massachusetts at a time when you could not get a lobster. They appointed a Fish Commissioner, and now the whole state is full of lobsters."

That lobster argument saved the bill, and Andrade tried to get the bill to preserve food fishes reconsidered on the same ground, but failed.

The reading of bills went on until it came to the third reading of the bill to increase the salaries of circuit judges, which was lost by the following vote:

Ayes—Andrade, Chillingworth, Gandall, Jaeger, Kalama, Keilinoi, Knudsen, Pall, Pulaa—10.

Nays—Aylett, Damien, Greenwell, Haia, Kaili, Kaniho, Kealawaas, Kou, Kumalae, Kupihua, Lewis, Nakaleka, Oili, Paele, Mr. Speaker—15. Absent and not voting—Fernandez,

## DEATH OF W. W. DIMOND AFTER WEEKS OF ILLNESS



(Photo by Davey.)

THE LATE W. W. DIMOND.

### Passed Away Early Last Evening—Facts of His Career—Body to Be Cremated.

William W. Dimond died last evening at 7:15 o'clock at his residence, corner of Alexander and Dole streets, Punahou, after an illness of five weeks. Death came while Mr. Dimond was unconscious and while the members of his family and near relatives were gathered near his bedside. The end was not unexpected even during the past week, but for the last two days the patient had lain in a semi-unconscious condition, and yesterday forenoon it was seen that the crisis had come and that his long fight for life was a fruitless one. Dr. Hoffman, consulting physician with Dr. Wood, was of the opinion at 3 o'clock yesterday afternoon that Mr. Dimond was close to death and that he would never rally.

W. W. Dimond was born in Honolulu on August 8, 1862, and was, therefore, in his forty-first year. He was the son of the late General W. H. Dimond, a kamaaina of the Hawaiian Islands, and of Eleanor Waterhouse, who was the sister of Henry Waterhouse. General Dimond was also a Honolulu. During the Civil War he went to the United States, entered the Union army and rose to a field officer's rank. He was afterwards General in the California National Guard. He died in New York in 1896.

W. W. Dimond had a brother, Henry W. Dimond, better known as "Harry" Dimond, of San Francisco; E. R. Dimond, of Williams, Dimond & Co., of San Francisco, was a half brother, and Mrs. Joseph Sadoc Tobin and Mrs. Jarboe of San Francisco, were his half-sisters. Mrs. Stangenwald, sister of General Dimond, was with her nephew yesterday. He also had an uncle, Edwin H. Dimond, living here.

Mr. Dimond attended Punahou col-

lege and afterwards completed his education at Cedar Rapids, Michigan, where he also engaged in business. On his return to Honolulu he was placed in charge of the crockery department of the old J. T. Waterhouse Co. After the death of Mr. Waterhouse he branched off into the crockery business for himself, opening a store on Fort street where the Honolulu Drug Company is now located, afterwards removing to the von Holt block. He was one of the most energetic merchants and public-spirited citizens in the city. During the past three years he has participated in many of the movements where the business community felt itself called upon to assist in measures suggested by the Hawaiian Government when it was in need of financial aid. The outcome of this constant gathering of the business men was the launching of the Merchants' Association, Mr. Dimond being one of its organizers and he was, at his death, president. He was also a member of the Chamber of Commerce. He was not a member of any secret order although he belonged to the Legion of Honor by heredity.

The deceased was married twice and has two children. Lucy, now 11 years of age, by his first marriage, and Wm. H. Dimond, aged two years, by his second marriage. He was married in November, 1886, to a Miss Higley of Michigan. On November 9, 1900, he was married to Miss Emma Berndt of Honolulu, who survives him.

It is too early to say what disposition will be made of the Dimond business. Probably Nathan Dohrmann & Co. of San Francisco, who are largely concerned in it, will decide as to the future management. Besides his commercial interests Mr. Dimond owned a large ranch out towards Koko Head, and had other investments.

The body of Mr. Dimond will be cremated. The funeral services will be held at 4 p. m. today from the residence.

Bill 176, which is the license bill, was passed to second reading and placed on the special order for today. A number of bills were read and referred, among them the Senate loan bill. The malt liquor bill, drawn to meet the objections of Governor Dole to a former measure of the same class, was read and passed second reading.

The House took up and passed on third reading, 17 to 3, its own bill to

(Continued on page 5.)

## RUSSIA MAKES A MOVE TO GET ALL MANCHURIA

### Says She Will Not Evacuate the Province Unless China Cedes It to Her.

(ASSOCIATED PRESS CABLEGRAMS.)

PEKING, April 23.—Russia demands that China shall practically cede Manchuria to her; otherwise she will not evacuate it.

YOKOHAMA, April 23.—Three Japanese warships have been ordered to Newchwang, Manchuria. Japan is excited and combative over Russia's demand for Manchuria and thinks that it will have the support, in any contingency which may arise, of England and America.

## TYNER REMOVED AND HIS WIFE IMPLICATED

WASHINGTON, D. C., April 23.—Assistant Postmaster General Tyner has been removed summarily, owing to the postal scandal. His wife abstracted official papers from the office safe but the Government has recovered them.

Judge James N. Tyner has spent thirty years in the service of the postoffice department and until the recent scandals was regarded as one of the best men in the service. He has been considered a leading authority on all postal questions although he is now over seventy-five years of age. He was at one time a member of Congress.

At the time of the expose of the turf swindling concerns it became quickly noised about that Tyner had assisted to cover up their frauds and through the employment of men who were willing to act in such cases as counsel for the postoffice department levied blackmail on fraudulent concerns, which operated through the mails. At least this is what is charged against him. When the charges became public in March Tyner forwarded his resignation to the Department "to take effect on the appointment of his successor." He said that ill health and the infirmities of advanced age were the reasons for the resignation. Now the Department has refused to accept a resignation and has removed the aged man summarily from the department.

It is alleged that there was a powerful "promotion syndicate" in the Department and that the many clerks all over the union who have bettered their positions during the past few years have had to dig deep for some member of the "ring" before they could hope for promotion. It is alleged that this "pay-or-price merit system" was operated from Washington and that Geo. W. Beavers, a man who at times acted as First Assistant Postmaster General, was the acting manager of the fraud. He resigned under pressure a few weeks ago.

In addition to the salary frauds, the turf swindling frauds, and many frauds having to do with the illegal use of the mails it is charged that the booblers made fortunes out of the letting of railway mail contracts.

## ILLINOIS STATESMEN MAKE A ROUGH HOUSE

SPRINGFIELD, Ill., April 23.—There was serious disorder in the lower House of the Legislature today, ending in a general fist fight, in the midst of which the Speaker ordered an adjournment and left the chair. A temporary speaker was at once chosen and the session went on. The fight is over the bill to secure the municipal ownership of railways.

### Five Typhoid Cases.

STANFORD UNIVERSITY, April 23.—There are five new cases of typhoid today.

### Roosevelt Goes East.

CINNABAR, April 23.—President Roosevelt starts for St. Louis tomorrow.



# HOUSE LAYS BILL OF THE HAWAIIAN ELECTRIC ASIDE

## Tables the Franchise Measure On a Close Vote Without Debate.

(From Wednesday's Daily.)

With a suddenness which surprised most of the opposition, and perhaps was not without its astonishing effects on the majority itself, the House yesterday tabled the bill granting a franchise to the Hawaiian Electric Company. The motion to table came from a Home Ruler, Damien, and was seconded with promptitude by Long and carried by fourteen to twelve, in a rush. There were some hot words interchanged, but nothing like a personal collision came, though feeling was high.

The action on the franchise was the incident of the day. At the night session the bill making possible garnishee of salaries of public officials was passed. The Paele bill for the reorganization of the Board of Health was passed to third reading, without going to a committee, as its backers seemed to fear an adverse report, and the Pahoa water purchase bill took the same course, to escape falling into the hands of Harris, who had indicated that he would have some questions to ask. The engineers' bill was killed during the day. The general work of the House was advanced materially.

The Senate all but cleaned the desk before adjournment last evening. The electrical inspector bill was still under consideration when the adjournment was taken. It has been the intention to consider the salary bill in night session but this was abandoned.

In the morning a lively discussion over the Long city bill resulted in its passage by such a vote, as to indicate that it will pass third reading without difficulty. The insurance bill passed third reading and the Kauai railroad bill passed second reading.

Governor Dole is preparing a lengthy message on the county bill which may be sent to the Legislature today. He intends to sign the bill and recommend that amendments be made to cover errors discovered by him.

### IN THE HOUSE.

The Superintendent of Public Works reported to the House the claim of the American-Hawaiian Steamship Company for \$900 overcharge for pilotage. The overcharge alleged was caused by the fact that the ships were charged as cargo steamers, instead of mail ships.

In response to a resolution, the House was informed from the same office that the rule of the Department was that none but citizen labor be employed on public works, but that in instances where the same was not obtainable aliens could be employed. The statement of money paid shows that in the Kona district, while citizen labor received \$8,883.90 Asiatics received \$3,935.25.

### LOAN BILL ADVANCED.

The Senate reported the passage of many bills, which the House took up at once, passing them on first reading. The loan bill; the public administrator bill, with many amendments.

The Miscellaneous Affairs Committee reported favorably the smoke nuisance bill; against immoral and lewd practices, and the Senate bill relating to the quarantine of animals. The Kupieha "Band at Kailhi Camp" resolution was favored with an amendment that the Governor fix the day and hour, which was adopted. The Nakaleka resolution against Hitchcock as Deputy Sheriff of Molokai was returned with the remark that the matter was entirely one in the purview of the Sheriff, which was taken as the view of the House.

The Public Expenditures Committee reported in favor of paying \$500 for the Kamalo wharf; \$4,320 for district magistrates at Hanalei, Koloa and Kawaihau; \$6,000 for a road between Maui and Kalapana; \$1,200 for wharf lighthouse at Lahaina.

### PROTECTION FOR HORTICULTURE.

The Committee on Agriculture made a long report on the Senate bill to provide for a plant quarantine. This report substitutes for the original Isenberg bill the measure providing for a board of five Commissioners of Agriculture, of which the Superintendent of Public Works is a member. There is provided a Superintendent of Forestry and a Superintendent of Entomology.

### WANT FIRE CLAIMS CASH.

Vida presented the following, which was adopted: "Whereas, The Congress of the United States has provided for the payment of the sum of one million dollars to the sufferers by fire caused by the action of the Board of Health in suppression of bubonic plague, and

"Whereas, The Secretary of the Treasury has sent an agent to Honolulu with the money for the purpose of disbursing the same and relieving those who lost their money and property, and no good reason existing for the delay in the disbursing this money sent as a relief fund to the sufferers by fire; be it

"Resolved, That this House forward a request by telegram to the Secretary of the Treasury requesting him to immediately disburse the million dollars without waiting for the sale of the bonds."

The committee appointed by Vice Speaker Knudsen, on motion of Mr. Kellinoh, was Messrs. Vida, Purdy and Harris.

### FOR THE JOURNAL.

Speaker Beckley brought before the House upon its assembling the matter of the Journal of the House. The

question was whether or not the Journal shall be typewritten or printed. It was directed by the Speaker that the clerk ascertain the cost of typewriting and of printing and report to the House as soon as possible.

### ENGINEERS' BILL Tabled.

Business was resumed with the reading of the engineers' bill in Hawaiian, just where it was dropped the previous evening. Kaniho insisted upon the translation, and it was made.

Kaniho renewed his motion that the bill be indefinitely postponed. He said that the sugar industry would suffer, and that the Legislature should conserve, and not attack, that interest. The previous question was ordered, and the vote came on the motion to indefinitely postpone, which carried by a rising vote of 18 to 9.

### CHINESE FUND BILL.

House Bill No. 191, that providing for the disposition of the "Chinese Fund," was then taken up on third reading. The measure passed with 28 ayes and 1 no, Lewis.

Senate Bill No. 32, to provide for the appointment of a commission to compile the laws of the Territory of Hawaii, was next taken up. Kellinoh asked if the clauses giving to the commission the right to change or harmonize laws was not a delegation of legislative powers. Andrade explained that this was only as to reference, spelling and similar corrections, and the bill was then passed, 23 to 5.

### HAWAIIAN ELECTRIC FRANCHISE.

House Bill No. 21, the Hawaiian Electric franchise measure was taken up, the chairman of the committee proposing several amendments, among them one reducing the life of the franchise from 50 to 35 years, and others of minor importance.

Long moved amendments making it obligatory that the company shall put down conduits in the district within one mile of the central station within five years, and also limiting the charge against a customer for installation to one-half of the cost. He likewise wanted removed the qualifying clauses in connection with the payment of the percentage of receipts to the government, the entire sections relating to purchase of rights or franchises of another company, as well as the privilege of consolidation.

Damen wanted to table the bill, and Long quickly seconded. A standing vote was demanded and fourteen members voted to kill the franchise, most of them being the same men who voted to pass other similar measures. The men who stood up were not taken officially, but the following was given by several members as a correct list: Aylett, Damien, Kaili, Kalama, Kaniho, Kou, Kumalea, Kupieha, Lewis, Long, Oili, Paele, Purdy, and Pulaa. The House then went into recess.

### FOR MILITIA REORGANIZATION.

The evening session opened with the favorable reporting of the Senate bill providing for the reorganization of the militia, the committee having found that it was an identical measure with the Wright bill. The House adopted the report, passing the bill second reading.

The Senate announced the passage of the measure appropriating \$5,000 for a wharf and breakwater at Kalapapa. This was the first appropriation measure of the session, beyond the expense bill. The Senate agreed to the amendments to the bill affecting the employ-

## TREASURY WILL NOT BE ABLE TO MEET DEMANDS UPON IT

The Treasury of the Territory of Hawaii promises to look like thirty cents, on January 1, 1904. If it does not it will be for the reason that the Treasurer withholds from the counties the sums appropriated for them in the Act by which they are created.

Estimates prepared by both the Auditor and the Treasurer agree that the current cash in the treasury, when the counties shall spring into existence, will be about \$625,000. This will mean that the \$720,000 appropriated can not be paid. Not only will the absence of cash prevent the placing of the cash at the disposition of the counties, but as well the Treasurer will insist upon keeping in the vaults a sum sufficient to meet demands upon the Territorial funds. Much consideration has already been given to the amounts which will be paid to the several counties. The Treasurer has not reached any conclusion in the matter as yet, though he said recently that he would not be surprised if he should be compelled to pay over only about 20 per cent of the sums appropriated by the Legislature. The counties were provided by the enabling act with what was estimated as their expenses for the first year of their experience. The appropriations were: Oahu, \$520,000; Kauai, \$45,000; Maui, \$60,000; East Hawaii, \$55,000; West Hawaii, \$45,000. While these sums are purely estimates they will cover the largest amounts to be paid out as salaries, though no estimates of clerk hire are possible.

The probable cash on hand is arrived at by taking under consideration the following figures: March 31, 1903, cash \$197,906.01; probable receipts to Dec. 31, \$2,083,437.52 or a total of cash in the Treasury by that date of \$2,281,343.53. The average monthly expenditure for this year has been above \$183,000, which would place the cash balance at the commencement of next year at \$630,000.

These figures do not contemplate any expenditures like \$150,000 for Pahoa water, or purchase of Pahoa system, nor any elaborate investment. They are based on the mild form of improvements which has been the rule so far during the now closing period.

The outlook is not so black, however, for there will be taxes coming in during the month of March, so that if the advances from the Territorial treasury cover the first few months expenses, the counties will come through all right.

ment of citizen labor on public works, and also announced the passage of the following bills: An act relating to the construction and operation of railways; relating to stamp duties; relating to currency; to amend the act to license the retail sale of malt liquors; to amend section 11a, act 84, session laws of 1898; for the incorporation of Societies for the Prevention of Cruelty to Children.

### FOR OLAA RESERVATION.

The McCandless joint resolution setting aside certain Olaa lots for public purposes was announced as having passed the Senate, and on motion of Chillingworth the House adopted the resolution by 23 to 1.

The Senate bill providing for the purchase of the Pahoa water works was passed a second time under suspension of the rules, the bill thus escaping any reference to committee. It would have gone to the Finance Committee, and Harris had shown his opposition, so Kumalea took this course.

### SENATE BILLS REFERRED.

The Senate bill relating to negotiable instruments went to the Judiciary Committee; the Senate bill referring to liquid explosives went to the Police Committee; the Senate bill to prevent the approving of vouchers for other than proper services by public officers, to Miscellaneous Committee; the Senate bill to provide for a high school at Hilo was passed second reading under suspension of the rules; the Senate bill relating to serving of decrees went to the Judiciary Committee; the Senate bill relating to corporations organized in foreign countries and doing business here, to the same; and explosives, to Military; Senate bill relating to exemption from taxes of the Pacific Heights road; the Senate bill to enable the police to suppress gambling and gaming passed second reading under suspension of the rules; the Senate bill making special appropriations for unpaid bills sent to Public Expenditures Committee; the Senate bill appropriating money to cover embezzlement from the road funds passed second reading.

### MANY HOUSE BILLS.

House Bill No. 188, to provide against embezzlement by public officers was passed second reading under suspension of the rules. The bill to amend section 189 of the Civil Laws was sent to the Judiciary Committee. The bill appointing a commission to investigate merchandise licenses was referred to the Finance Committee. Bill 192, regulating games of chance, went to the police committee, and other bills were referred as follows: merchandise license act, to Finance; to provide for the support of families out of the estates of deceased persons, passed second reading; to reorganize the Board of Health, passed second reading under suspension of the rules, and made the special order for today.

### TO GARNISHEE SALARIES.

The bill to amend the act governing the collection of debts from government employees was considered in committee of the whole, Mr. Harris in the chair. Greenwell moved to report the bill favorably, and Kalama moved to indefinitely postpone, saying that the bill was identical with a Senate bill and he objected to the holding back of any part of any official's salary under garnishment, though many try to evade payment. Chillingworth argued that there should be an exception made in favor of government employees. Andrade said that only 10 per cent was to be made subject to attachment, and Kumalea and Gandall favored the measure. Kaniho spoke for postponement and Aylett in support. Beckley urged the

passage of the measure in the interest of better public service, and the committee rose and reported the bill favorably, which report was adopted and the bill passed, ayes 19, noes 6.

There was a general call for committee meetings this morning from 8 to 9 o'clock, and the House adjourned.

### IN THE SENATE.

The House anti-vaccination bill was reported by the clerk and passed first reading.

Senate Bill No. 145, giving magistrates power to issue commissions to take testimony passed passed second reading on the adoption of the favorable report of the Judiciary Committee.

Exactly the same action was taken on the Judiciary reports on House Bill 141 increasing the penalty for vagrancy from six to twelve months; Senate Bill 178, making changes in the Treasury Department to conform to the Organic Act, and No. 181, striking out the provision in the taxation laws permitting arrest for non-payment of tax. All these bills will be read a third time today.

### REPORT ON SALARIES.

Senator Dickey, as chairman of the Special Committee on Salaries, reported two bills, one for six the other for eighteen months. A provision is made in the six months appropriation bill by which the appropriations continue for two years in case the county bill does not go into effect. The eighteen months bill passed first reading.

The Senate bill regulating employment of labor on public works was returned, with an amendment providing that the eight hour rule should not apply on Saturdays or holidays. The Senate concurred in the amendment.

### LONG BILL FORCED THROUGH.

Senator Achi again presented his report on the Long bill, while Senator C. Brown read his minority report which caused so much trouble last week.

The minority said the Long bill was in conflict with both the county and municipal bills, which the Legislature had already passed. The report says:

"The organization into county governments and the work proper and necessary to carry out the provisions necessary for that purpose, it seems to me, should first be thoroughly understood and properly carried out before we undertake the forming of a municipal government for the whole of the Island of Oahu."

"The act now in the hands of the Governor was drafted with that idea, and it is presumed the Legislature in passing it thought likewise, and I do not see how at this late date the Legislature should enact a law commanding the doing of an act when such act can be done in a manner that is duly provided for and designated by law. There are many provisions in the act under consideration that should be eliminated."

Senator Baldwin moved to adopt the two reports with the bill. Kalauokalani moved to adopt the majority report. Baldwin's motion was lost, 8 to 5, Achi, McCandless and Woods voting with the Home Rulers.

Senator Baldwin objected to forcing the bill on second reading, and said that a general municipal bill had already been passed. What was good for Honolulu should be for other islands, also; and every county might just as well be a city under the same bill. He objected to the practice of amending on third reading. There had been too much blundering already in bills sent to the Governor.

Achi wanted the report adopted, so that the bill of the committee could be considered by the Senate. Dickey

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## PORTE'S REFORMS ARE CHECKED BY THE ALBANIANS

## Revolutionary Malcontents Terrorize the Turkish Judges and Kill One of Them.

(ASSOCIATED PRESS CABLEGRAMS.)

SALONICA, April 21.—The Albanians have terrorized the judges sent out to institute the reforms pledged by The Porte to Europe. One of them, a Turkish official of high rank, has been killed. It is doubtful if the reforms can be made by civil officials owing to the hostility of the inhabitants, while military officials, even if zealous for reform, which is not the case, could hardly build up an effective system of civil administration, as required by Europe of the Ottoman government.

COPENHAGEN, April 21.—The government is discouraging emigration to America as it denudes the country of its most useful inhabitants.

The estimated population of Denmark is now 2,310,000. Emigration from Denmark has been heavy not only to the United States but also to British colonies. The number of Danes arriving in the United States for several years past is as follows: 1888, 8,962; 1889, 8,699; 1890, 9,366; 1891, 10,659; 1892, 10,593; 1893, 8,779; 1894, 5,581; 1895, 4,244; 1896, 3,167; 1897, 2,085; 1898, 1,946; 1899, 2,690; 1900, 2,926; 1901, 3,655; 1902, 5,660.

The above figures total up to more than eighty-five thousand immigrants who have found their way to the United States during the period from 1888 to 1903. During the same period many have entered Canada and so far this year more immigrants have arrived in Canadian ports and in American ports from Denmark than ever before.

PANAMA, April 21.—Government advices received here from Nicaragua are to the effect that the revolution is spreading and that the original band of 1000 men who landed at Bluefield has secured many recruits, has captured three government steamers and secured twenty-one sailing vessels.

The rebels who are fighting President Zelaya commenced their operations by capturing a government steamer on Lake Nicaragua and in steaming about the lake, capturing smaller vessels and landing parties of troops at various towns where they readily found encouragement and if they found a place that was not encouraging made the inhabitants put up money to carry on the revolution. The rebels now control a great deal of the territory around the Lake. Government sympathizers have left the district and many of them found refuge in Costa Rica where they have been held in concentration camps by the Costa Rican government.

ROME, Italy, April 21.—Signor Prinetti, Italian minister of foreign affairs, has resigned.

Some time ago Signor Prinetti was afflicted with a stroke of paralysis, being unable to speak, and having his whole right side paralyzed. His illness came at an inopportune time for Italy for she was then in the throes of the Venezuelan controversy and Signor Prinetti's resignation now is probably due to the fact that Italy needs a well and strong hand to handle her foreign affairs during the Balkan crisis in which she is much interested.

PEORIA, Ill., April 21.—In the municipal election today the Republican majority was 2000. At the last municipal election Peoria went Democratic.

BLOOMINGTON, Ill., April 21.—The Democrats carried this city today for the first time in eighteen years.

WASHINGTON, D. C., April 21.—A number of officers are being court-martialed in Alaska on charges of selling the supplies sent to them for the troops stationed there and pocketing the cash. Stories of these breaches of duty first appeared in the newspapers and the department has followed the matter up by bringing the officers accused before a court-martial for trial.

PENSACOLA, April 21.—The United States battleship Iowa was disabled here today by the bursting of a steam pipe and an accident to the steering gear.

LA CROSSE, April 21.—In a department store fire here a loss of half a million dollars was incurred.

KANSAS CITY, April 21.—Five persons were killed today in a railway accident at Everton.

PRETORIA, Transvaal, April 21.—Five privates have been sentenced to death on the charge of rioting.

SALONICA, April 21.—Thirty insurgents were killed in an attack of Government troops. The growing spirit of rebellion has resulted in a call for more troops.

ROME, Italy, April 21.—King Victor Emanuel today granted a reception to General Leonard Wood, who is on his way to the Philippines. Wood was received with marked favor.

SANTO DOMINGO, April 21.—A bloody battle took place here today, the Government troops making an unsuccessful assault upon the city. Over 1,000 killed and wounded were left upon the field.

KANSAS CITY, Mo., April 21.—William J. Bryan, in the course of a speech delivered at a Democratic banquet, gave full sway to his bitter feelings against his opponents in the party. He flayed ex-President Cleveland in scorching terms, charging him with being a traitor to the true principles of Democracy.



# IRWIN HERD WILL MOVE TO WAHIAWA

## New Deal Is Made In Behalf of Colony.

A deal has just been consummated whereby W. G. Irwin's famous herd of Jerseys, the most valuable herd of thoroughbred Jersey cattle on the Islands, go to Clark Farm, Wahiawa. This herd of cattle has become famous not only on the Islands but travellers from other countries have been loud in their praise; a recent visitor from New Zealand, a country noted for its dairy industry, said: "They are as good as can be found." Byron O. Clark has promoted this deal which means much to Wahiawa and to the live stock interests of the Islands; inasmuch as the integrity of the herd will be preserved as headquarters for those who may desire thoroughbred animals, and the danger of having the herd scattered and its usefulness, to a large extent, destroyed, is past.

A corporation under the name of Clark Farm Co., Ltd., will be formed as soon as the necessary papers can be filed and a charter obtained, for the purpose of engaging in the breeding of thoroughbred stock, conducting a dairy and other farm operations, with a capital stock of thirty thousand dollars, most of which has already been subscribed. This corporation will take a long lease of seventy-five acres of the best land in Wahiawa which is all under cultivation, and with an abundant supply of mountain water for irrigation and other purposes.

The climate and location of Wahiawa are unsurpassed, which with good land, an abundant water supply and a herd of Island-bred Jersey cows of established reputation, it would seem the success of the enterprise was assured from the start.

Mr. W. T. Blacker, who has been manager for Mr. Irwin at Leahi, since the starting of the herd seven years ago, will be in charge of the stock department, which assures intelligent and careful management. The Honolulu customers of the dairy will continue to be supplied for the present at least and the high standard of milk will not only be maintained, but improved if possible.

Mrs. Rosalie Freeman has brought suit for divorce against W. K. Freeman alleging desertion and non-support.

### YOU WILL NOT

be deceived. That there are cheats and frauds in plenty everybody knows; but it is seldom or never that any large business house is guilty of them, no matter what line of trade it follows. There can be no permanent success of any kind based on dishonesty or deception. There never was, and never will be. The men who try that are simply fools and soon come to grief—as they deserve. Now many persons are, nevertheless, afraid to buy certain advertised articles lest they be humbugged and deluded; especially are they slow to place confidence in published statements of the merits of medicines. The effective modern remedy known as

**WAMPOLE'S PREPARATION** is as safe and genuine an article to purchase as flour, silk or cotton goods from the mills of manufacturers with a world-wide reputation. We could not afford to exaggerate its qualities or misrepresent it in the least; and it is not necessary. It is palatable as honey and contains the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry; and how valuable such a blending of these important medicinal agents must be to plain to everybody. It is beyond price in Weakness and lack of Nervous Tone, Anemia, Scrofula, La Grippe, Lung Troubles and Impurities of the Blood. Science can furnish nothing better—perhaps nothing so good. Dr. W. H. Dalfé, of Canada, says: "I have used it in my practice and take pleasure in recommending it as a valuable tonic and reconstructive." It is a remedy that can afford to appeal to its record and represents the science and knowledge of bright and aggressive medical investigation. Effective from the first dose. Sold by all chemists here.

# LEPERS MUST HAVE PAIAL

## Board of Health Looking Into Matter.

(From Thursday's Daily.)

There was just the suggestion of a paial shortage at the Leper Settlement on Molokai revealed at the meeting of the Board of Health yesterday afternoon. It was not shown that there was a shortage, or that there had been, but a letter from Superintendent McVeigh related that an expected shipment of paial had not arrived on the day scheduled, and the Superintendent wanted to know whether J. W. Kalua had thrown up his contract to supply the afflicted with this important food product—and, if he had, then how the matter of supply should be met in some other way. Kalua's contract runs until the first of July next, and the executive officer of the Board of Health was instructed to send a wireless message to that gentleman to know what his intentions were. If he does intend to throw up his contract, it was the sense of the Board that proceedings will be taken against his bondsmen—and, in the meantime, another paial supply must be looked after.

Another letter from Superintendent McVeigh complained that there were at the settlement a lot of kokuas out of a job—those who had seen the death of the lepers they had been sent there to look after—and as these were little better than vagrants and were in fact something of a burden upon the place, it was decided to enforce the rules and get rid of all those for whom there was no employment.

The resignations of Dr. John Weddick, Sister M. Bonaventure and Sheriff L. M. Baldwin as the Board of Trustees of Malulani Hospital, on Maui, were received, and Dr. J. H. Raymond, Dr. C. H. Wells and Senator Kauwe were appointed directors. At the same time a committee consisting of Dr. Mays, Dr. Moore and Mr. Mott-Smith was appointed to draw up a set of rules to govern all hospitals under the control of the Board of Health.

The special committee to look into the matter of the Goto remedies for leprosy asked for more time, and so did the committee to investigate the territorial insane asylum. Dr. Cooper suggested that the committee would visit the asylum next week, and asked that all members of the Board, whether on the committee or not, go along. Dr. Oyama was granted a license to practice, it being shown that he was a graduate and an experienced physician.

The plumbing inspector made the following report, covering the period from April 1st to April 15th: Number of plans filed, 16; number of permits issued, 16; number of inspections made, 112; number of final certificates issued, 44; number of sewer connections made, 14.

The following letters were received from Dr. Cofer, Federal quarantine officer:

Honolulu, Hawaii, April 21, 1903. To the Executive Officer, Hawaiian Territorial Board of Health, Honolulu, Territory of Hawaii. Sir:—I have to report the health conditions in the Orient as follows: Yokohama, two weeks to April 11, 1903, clean. Kobe, two weeks to April 8th, 1903. Smallpox cases, 1; deaths, 0. Nagasaki, two weeks to April 6th, 1903. Clean. Shanghai, two weeks to April 5, 1903. Clean. Hongkong, two weeks to April 1, 1903. Smallpox cases, 1; deaths, 1; plague cases, 71; deaths, 56.

Respectfully,  
(Signed) L. E. COFER,  
Passed Assistant Surgeon, Chief Quarantine Officer, Territory of Hawaii.

Honolulu, Hawaii, April 9, 1903. To the Executive Officer, Hawaiian Territorial Board of Health, Honolulu, Territory of Hawaii. Sir:—I have to report the health conditions at Brisbane, Sydney and Suva, as follows: Brisbane, two weeks to March 25th, 1903. Plague cases, 3; deaths, 0. Sydney cases, 0; deaths, 0. Suva cases, 0; deaths, 0. (Last case on March 23, 1903.)

Respectfully,  
(Signed) L. E. COFER,  
Passed Assistant Surgeon, Chief Quarantine Officer, Territory of Hawaii.

One of the members of the Board of Health yesterday received a letter, from which the following is an extract, from O. T. Osborne, M. D., who is at the head of the Medical Department in Yale College, and a physician of the very highest standing on the mainland: "It was very thoughtful of you to send me the report of the Board of Health of your Territory. It is certainly a most successful institution of yours. The report would do credit to the city of New York. I was also very much interested to learn the wide scope of the work which the Board of Health and their physicians are doing. You are certainly ahead of most of the cities of the East, already."

# FRANCHISE BILL FOR ELECTRIC IS PUSHED THROUGH

## Many Amendments to the Measure For the Hawaiian Com- pany Added.

(From Thursday's Daily.)

### IN THE HOUSE.

There was a full attendance of the House, barring Damiana, Ill., as there was a feeling that there would be some hard work.

Representative Chillingworth asked to have righted an error of the types yesterday making it appear that he had said there was "an" excuse for government employees not paying bills, while he said there was "no" excuse, he supporting the garnishee bill.

Business opened with the House when Kumalae called up the bill providing for the treatment of leprosy by any one without certificate of license to practice medicine. There was not a full attendance and consideration went over. The Pauahi street opening bill was passed second reading, despite the objections from some quarters.

The Atkinson gas bill was reported adversely and tabled.

The act to encourage a telephone system on the island of Hawaii, adversely reported, on the ground that the latitude of the franchise was too great, was then brought up. Amendments were ruled out and the bill passed second reading.

The Gear water works franchise bill passed second reading.

The bill amending the Olua forest reservation act received an adverse report and was laid on the table.

The Damiana act, limiting the time in which action may be brought to recover possession of lands, was adversely reported and the House sent it to the table.

On the bill providing for the qualification of persons elected or appointed to office, by Damiana, the committee's recommendation that the bill be tabled was not opposed but action was deferred as Damiana was absent.

PAYMENT FOR BURNED BUILDINGS.

On the act restraining the Board of Health from destroying buildings without compensation, the Kumalae bill, the committee reported that the existing statute was sufficient, but the introducer called for specific information and Chillingworth said there was ample provision even in the constitution. Kumalae still objected and in the course of his remarks called the Board of Health names and told of alleged "mean" acts, pleading that there was no use of giving the Board such powers as now are enjoyed. Paele said the people were suffering under the oppressions of the Board. The bill passed second reading.

The extension of School street from Liliha street to Kamehameha IV road, provided in the Kumalae bill, brought out some discussion. Harris wanted the appropriation made \$35,000 instead of \$75,000, but the House wanted the larger amount and the bill passed second reading.

Bill 170, to regulate the practice of pharmacy, was favorably reported with the amendment that the term of service for licentiates be three years and not five. The bill passed second reading.

The bill providing that aliens may not fish in the waters of the Territory was adversely reported on the ground that the result would be a great advance in the price of fish. The bill however was passed second reading.

### HAWAIIAN ELECTRIC BILL UP.

Kellinot moved to take the Hawaiian Electric franchise bill from the table and the fighters donned their war paint. Long got the floor first and he said: "Mr. Speaker, I do not propose that this bill shall come up at this time. There are other bills on the Speaker's table which are more important than these private franchises. There are here measures of territorial import which are not to be laid aside for this private franchise."

Speaker Beckley rose to inform the house of the condition of matters, saying that the company for which the franchise was asked was already well established and the city was dependent upon it for lighting. The franchise will expire soon, and if no provision is made there might arise trouble over the lighting. If no provision is made then the government is without guarantee that it will receive the 2½ per cent of the profits provided in the franchise. The responsibility, he said, was upon the Legislature, to protect both the people and the government.

Long came back with the statement

that the Superintendent of Public Works could protect the government and get the revenues from the company. He insisted that there are more important matters.

An attempt was made to secure a recess but this failed and the bill was taken from the table by a large majority.

### BILL IS AMENDED.

The bill then was taken up and voting began on amendments, the formal or verbal ones being taken up first and adopted. As to the life of the franchise there was much discussion. Kumalae moved to make it 15 years, saying he would favor a longer period if it was a new company, but the present one was well established. Kalama's compromise at 25, as between the committee's 35 and Kumalae's 15, was ruled out of order, and the amendment was defeated on a roll call by 6 ayes to 22 noes.

Kalama renewed his amendment reducing the life of the franchise to 25 years, but this was lost by 13 ayes to 15 noes, and the committee's amendment to cut down the life to 35 years then went through with 17 ayes to 11 noes.

### AGAINST UNDERGROUND WIRES.

The principal fight after recess began on the Long amendment compelling underground construction after five years. Aylett began the argument, saying there had been deaths caused by live wires and it was the duty of the Legislature to protect the citizens, saying that he would support the bill if amended, but would vote against it otherwise.

Kellinot urged that fairness should prompt the compelling of all companies to put down their wires, if this company is so treated.

Lewis said the duty of the Legislators was to work for the people, and compel the placing of the wires underground, and not for the interest of rich men who own the stock.

Chillingworth called attention to the fact that government wires were not ordered down, yet they had killed people. He insisted that fairness should rule. There was a long discussion, but the amendment was lost by 11 ayes, 17 noes.

Long's amendment providing that patrons shall pay only one-half of connection expenses, secured a tie vote, 14 to 14, and the Speaker cast the vote carrying the amendment.

### NO CHANCE FOR TRUST.

Further amendments by Long, striking out provisions permitting the company to purchase stocks in other corporations or to consolidate, cutting out the proviso that the payment from the gross receipts shall be made only on condition that no more favorable conditions shall be made for another company. The vote was 14 to 14 on cutting out the proviso on the payments to the government, and Speaker Beckley again carried the amendment.

The cutting out of the privilege to consolidate brought out Kumalae in a long and heated oratorical effort, denouncing the trust features as contrary to the Republican platform. The members suddenly ceased table pounding, and the official interpreter asked the English speaking members if they wanted a translation, which brought out a unanimous "no." Kumalae insisted on a translation, as he said he wanted his speech on the records. It was suggested that he have leave to print, but he was at length turned into English.

Andrade proposed an amendment to the Long amendment, permitting the company to hold property, real, personal, or mixed, in fee or by lease, but may not buy franchises or property of another similar company, which was carried and then section 12 was stricken out.

An amendment was proposed giving the Superintendent of Public Works the exclusive right to proceed against the company, but this was lost by 11 to 17. Kellinot, in charge of the bill, accepted an amendment fixing the maximum charge at 20 cents instead of 25 cents, and it was carried unanimously.

Kalama moved to strike out the section providing that wires shall not be placed under ground unless other corporations are similarly served, leaving the whole matter with the Superintendent of Public Works, but the amendment was lost, 18 to 19, and the

# GEO. FERRIS MAY GO FREE

## Error of Gear and His Clerk Causes Trouble.

(From Wednesday's daily.)

George Eli Ferris, who is under sentence of death for murder, may go entirely free as a result of carelessness on the part of Judge Success to Crime Gear and his clerk in preparing the records.

The motion for a rehearing of the motion for a new trial was presented yesterday before Judge Gear. It alleged that the record failed to show that Ferris was ever present at the trial of his case or when he was arraigned or sentenced. The hearing of the motion was postponed to give the clerk a chance to correct the record and the further argument was postponed until Thursday.

In the meantime however Judge Gear has signed the bill of exceptions offered by the defendant with a few minor amendments, and duly certified it to the Supreme Court. This it is said takes out of his hands the opportunity for correcting the record, and the clerk's record will have to be sent to the Supreme Court in its present shape. As the record contains the very errors which are complained of, namely failure to show that the defendant was ever present at the trial, Judge Gear will very likely be reversed by the Supreme Court and Ferris will be given a new trial. As nearly all the witnesses in the case have already left the city it is hardly possible that another conviction can be obtained.

.....  
The bill passed as amended, with only Lewis and Oili voting against it, the ayes being 26.

The Conference Committee on Senate Bill No. 66 reported in favor of passing the bill with Senate amendments, and the report on No. 79, fixing jurors pay at \$2.50 a day, also passed.

An effort was made to take up the conference report on the emergency bill from the table, and after some discussion this was done. The bill was referred back to the Conference Committee.

There was a tilt between Fernandez and Harris, the former saying Harris was under the influence of the Senate, and he was called to order. The House took adjournment without action.

### EMERGENCY BILL STATUS.

The discussion of the conference report on the Emergency bill continued at the night session it being shown that some members of the House were willing to recede from the Walmea bridge appropriation while others favored sticking to it. Knudsen said he would rather see the bridge item taken out than that the bill fail. Harris took the position that parliamentary usage would not permit taking from the table as the act of tabling took the matter out of the hands of the House, the chair sustaining him. This blocked everything as the initiative must come from the Senate.

House Bill No. 65, amending the compulsory education law compelling attendance upon school to the age of 21 years, with certain exceptions, was considered, the unfavorable report rejected and the bill passed a second time.

### LEPROSY AND HEALTH.

House Bill No. 25, to permit any person without a license to treat leprosy, came up and was passed second reading, other bills taking that course being No. 27, the anti-vaccination law; the Gear electric franchise bill; relating to district courts. That relating to attorneys at law was indefinitely postponed.

House Bill No. 90, reorganizing the Board of Health, came up on final passage and went through, 21 to 5. There were many men who voted for the bill, saying that the Senate would kill it, as the measure is the Home Rule one, aimed at the Board of Health as now constituted.

### WIRELESS TELEGRAPH BONUS.

The Wireless Telegraph Company's bounty bill providing an appropriation of \$24,000 to be paid monthly during the next two years, was considered, Harris amending the amount of the bonus to \$6,000 a year, after which the measure were adopted. The opinion was expressed that the bill is now useless, as the amount is too small. The vote stood: ayes, 23; noes, 3.

House Bill No. 11, to provide for an agricultural college and model farm, came up on final passage. The measure passed with 24 ayes.

On motion of Harris the vote on the Wireless Telegraph subsidy bill was reconsidered and petitions from Maui and Hawaii were read, asking the House to pass the bill. On motion of Kellinot the Harris amendment of \$6,000 a year was stricken out and \$12,000 inserted. This change was strongly supported by Lewis and Randall and Kaniho urged that government messages be carried free of charge, and Kumalae moved to amend so that all public business should be so carried, and this went

(Continued on page 6.)

# CONGRESS WILL FIX DISTRICTS

## Legislature Puts By the Big Task.

With the session of the Legislature practically at an end, at least with no chance for a bill to be passed, with three readings in each house, one of the mandates of Congress in the Organic act has been absolutely disregarded by the legislators. This is in regard to the reapportionment of the legislative districts.

The Organic Act, in Section 55, says: "The Legislature, at its first regular session after the census enumeration shall be ascertained, and from time to time thereafter, shall reapportion the membership in the Senate and House of Representatives among the senatorial and representative districts on the basis of the population in each of said districts who are citizens of the Territory."

The first legislature had no statistics on which to base an apportionment. These figures could be had at the present time, but the men who keep in touch with legislative matters, soon saw after the legislature met that to pass a measure as directed by Congress would be impossible and for the purpose of keeping down ill feeling the matter was allowed to rest undisturbed.

The apportionment would be made on the basis of 76,000 citizen population, and this according to some figures make Oahu the controlling element in both houses.

This condition of affairs confronted the Republican executive committee at its meeting yesterday afternoon and after some discussion it developed that the unanimous feeling was that Congress should be asked to pass upon the matter. This will do away with the necessity for a fight over the measure which would certainly follow the introduction of the bills necessary to accomplish the result. The bills to bring about this end will be prepared here and will be sent to Washington by Delegate Kalamannalo who will push the measure to passage.

The executive committee discussed at length the necessity for the passage of the Loan act before the end of the session. It is likely that the committee will call to the attention of the members of the Republican majority in the House the fact that public works will stop and that distress will result.

The committee recommended appointments to a number of minor offices.

## MAY DISTRIBUTE BONDS PRO RATA

The next move towards the payment of the fire claims will probably be a pro rata distribution of the fire claims bonds among the larger fire claimants. This now seems the only way out of the difficulty and unless the claimants are willing to accept it, the payment of the claims may be indefinitely postponed.

The record of the fire awards has been made up and is being printed so that it will be ready for submission to Mr. MacLennan within a few days. Mr. MacLennan was at his desk in the First National Bank yesterday for the first time since his arrival. He is ready to pay out the awards in case the claimants accept bonds and are willing to give a receipt in full for the amount of the award.

## VIERRA GETS HIS FREEDOM

Manuel Vierra, who was sentenced to six months' imprisonment for violation of the internal revenue laws and fined \$1,000, was released from prison yesterday. He took the pauper's oath before Commissioner Gill, having served thirty days in addition to his sentence and was released from paying the fine.

The eighty-fourth anniversary of the Odd Fellows will be celebrated at Progress Hall next Saturday evening.

Ordinary uses of a liniment, has qualities which distinguish it from other remedies of this class. Pain Balm is especially beneficial for rheumatism. Thousands of cases can be cited in which this remedy has effected a cure when the sufferer had previously tried the best medical service without securing relief. Pain Balm is positively guaranteed to give relief in the most severe cases of chronic or acute rheumatism.

Pain Balm heals bruises, burns and scalds in less time than any other treatment. It is "antiseptic," that is, it prevents putrefaction, and by so doing generally prevents an unsightly scar remaining after the injury is healed. For lame back, lumbago and neuralgia, Pain Balm has no equal. It has the quality of "getting to the right spot." No sufferer from these distressing affections should defer a trial of this remedy. One application gives relief. Try it. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., agents for Hawaii.







## MILLION WILL BE PAID NEXT WEEK

United States Treasury Agent, MacLennan Will Begin Paying Fire Claims on Tuesday.

One million dollars in good gold coin, being the money brought to this city by Special United States Treasury Agent MacLennan to pay the plague fire claims, will begin to go into circulation in Honolulu not later than Tuesday of next week.

This is the positive statement made by Mr. MacLennan yesterday to a special committee of the House of Representatives whom the special agent had desired to meet at his rooms in the Hawaiian Hotel. Mr. MacLennan wrote a letter to the House yesterday stating that he would be glad to meet the special committee that had been appointed to confer with him as to the payment of the claims at 2 p. m. The special committee, consisting of Messrs. Harris, Chairman of the House Finance Committee, Vida and Purdy, could not meet the gentleman at the hour named, but Harris and Purdy called upon him an hour later.

It was to these gentlemen that he made the statement above given. He said, however, that he would be pleased if the claimants would agree to take bonds in part payment for their claims, pro rata, as that would enable him to make a full settlement at once, but if they would not agree to do this cash payments pro rata would be made at once, and the paying out of the money would begin not later than Tuesday of next week. If the claimants insist upon cash, the pro rata would be about \$74.235 for each \$100, the balance to be paid in bonds amounting to \$326,000. As there are some seven thousand awards, it will be seen that their pro rating will be a work of considerable time.

The reason for the statement made by Mr. MacLennan is the hope that the bonds will all be taken by next Monday. Yesterday after a conference between the various government officials an agreement was put in circulation, by which the signers, fire claimants agree to take a certain portion of bonds in lieu of cash. W. A. Whiting, attorney for the Chinese claimants, and Bishop & Co., who hold a large number of awards are at the head of this movement, and from the results obtained yesterday, there seems every promise of success. The result of the effort to place the bonds will be reported to Governor Dole on Monday, and if successful all the \$326,000 in bonds will be turned over to the respective claimants. That done there will be nothing in the way of the immediate payment of the million dollars, and Mr. MacLennan will begin his part of the work on Tuesday.

## JAP JUMPED WILDLY TO DEATH FROM STREET CAR

Last night about 8 o'clock while car 12 on the King street line was running near Robello Lane, a Japanese passenger suddenly arose from his seat and quickly made his way out to the running board. His movement was immediately noticed by conductor Green who ran forward to take hold of him. Several passengers also called out to the Jap to wait for the car to stop, but before the conductor could get to the man he had turned about and jumped off backwards. He seemed to fall hard upon the back of his head and then lay quite still. A hurry call was sent for the patrol wagon and the sufferer was taken to the Japanese Hospital on Liliha street. He was attended by Dr. Mori, who found that the skull had been fractured at the base. The police were telephoned later that he was dead. A ring upon his finger bore the name "Kozai", which is believed to be the man's name. There was nothing in his clothing to indicate his occupation.

## AFTERNOON DISPATCHES FROM ASSOCIATED PRESS

LONDON, England, April 23.—The British budget presented to Parliament carries \$71,977,000. The sugar tax is not changed.

BERLIN, Germany, April 23.—The prospect of a German-Canadian tariff war is causing serious apprehension among the sugar interests.

ST. PETERSBURG, Russia, April 23.—An anti-Semitic riot took place in St. Petersburg today. Twenty-five persons were killed and many injured.

MINNEAPOLIS, Minnesota, April 23.—An explosion of an oil plant situated in the outskirts of the city killed eleven workmen and seriously injured many employees.

WILKESBARRE, Pennsylvania, April 23.—The labor troubles growing out of the recent lockout are gradually improving. Thirty thousand miners returned to work today.

LONDON, England, April 23.—A dispatch was received here today announcing that a body of British troops had been caught in ambush by the Somalis. Two hundred of the British force were killed, including Colonel Plunkett and other officers of the command.

BUFFALO, New York, April 23.—A witness in the Chinese cases being heard in Buffalo stated today that a thoroughly organized smuggling ring was operating all along the Canadian border. It is claimed that hundreds of Chinese are annually smuggled into the States across the Canadian border.

## PLOT TO MURDER AGED EMPEROR FRANCIS JOSEPH

China Will Pay Boxer Indemnity in Gold. Hayti Taxes Sugar—Algerian Tribesmen Pillage a Town.

(ASSOCIATED PRESS CABLEGRAMS.)

VIENNA, April 22.—A Hungarian soldier has been arrested for taking part in a plot against the life of the Emperor Francis Joseph.

CHICAGO, April 22.—Receivers have been appointed for the Union Traction Co., owning north Chicago and west Chicago street railways. The indebtedness is half a million dollars.

PORT AU PRINCE, April 22.—After two days fighting General Gill took refuge aboard the United States cruiser Atlanta.

SHANGHAI, April 22.—China is yielding to the powers and will pay the Boxer indemnity in gold bonds.

PORT AU PRINCE, April 22.—Hayti has imposed a tax of ten cents per quintal on sugar.

TANGIER, April 22.—Tribesmen have pillaged the town of Tequinez. Fifty were killed.

CINNABAR, April 22.—President Roosevelt has completed his Yellowstone trip.

ROME, April 22.—King Edward has sailed for Naples.

MANILA, P. I., April 22.—Lieutenant Sprole committed suicide here today while insane.

PEKING, April 22.—An Imperial edict has been issued providing for the reorganization of the financial system of the Chinese Empire and providing for the creation of government mints.

## NEW TELEPHONE FRANCHISE GOES BY THE BOARD

(Continued from page 1.)

prohibit the destruction of infected property by the Board of Health.

The Standard Telephone bill was taken from the table, amended variously, and failed of passage by a vote of 15 to 4. Jaeger did not vote, the Speaker having excused him, and a strong effort was made to compel him to state his reasons publicly, but he declined to do it. Then the House adjourned.

### IN THE SENATE.

Secretary Carter notified the Senate of the signing of the Judiciary and felony acts.

The Senate forestry bill was received from the House with amendments which virtually make it the new bill as agreed upon by the joint committee and the planters. The Senate concurred on motion of Senator Isenberg, and the bill now goes to the Governor.

House bills giving a subsidy to the wireless telegraph system; to reorganize the Board of Health, providing for an agricultural college, and the Hawaiian Electric franchise were received from the House and passed first reading.

### LAW COMMISSION BILL PASSED.

The Judiciary Committee recommended the acceptance of the House amendments to the Law Commission bill. The committee does not believe the appointment of a Hawaiian American to be class legislation and concurs in the salary increase from \$4,500 to \$6,000. The report was adopted and the bill now goes to the Governor.

The Public Lands Committee reported favorably the House bill requiring citizen labor on public works, with an amendment permitting other labor when citizens cannot be obtained. The report was referred back to the committee as a similar bill has already passed both houses and is in the hands of the Governor. In the afternoon the bill was killed.

The special committee of Hawaii members reported tabling the Waialeale fish market resolution, the Board of Health having made new regulations, prohibiting the charge for inspection. Adopted.

### COUNTY BILL CHANGES.

The bill amending the county act as recommended by the governor passed second reading.

Senator Crabbe moved to strike out the section repealing the chapter relating to water works. He contended that the water works should belong to the county, and that the construction of the organic act by the Governor that it belonged to the Territory was right but that counties and municipalities comprised the Territory. "The Organic Act," said he, "can be stretched, it can't be violated; but it can be stretched so that it will fit." He argued that if the Governor is correct, counties could not be organized.

Senator Brown quoted the Organic Act relative to Superintendent of Public Works who has control of the water works, and which is "subject to the modification of the legislature." This, he said, was evidently meant to give the legislature power to create counties. He thought the Governor was mistaken as to the county act surrendering the Territory's title to the property; that it was simply a transfer of control. The Governor had said it was only of doubtful legality, and Brown favored leaving the immense revenue from the water works to the counties.

Senator McCandless inquired what "modification" meant; Senator Brown replied that there was a conflict between this power and the section in the Organic Act which provided that the title of all property within the Territory "shall remain with the government of the Territory of Hawaii." Brown argued that the legislature was the government, and that the counties were a part of it.

Sections 4 and 5 striking out the water works and electric light plant sections in the county bill were then stricken out.

Senator Crabbe objected to the change making the Board of Public Institutions assume its duties January 1st instead of immediately, saying that it was the intention to have this Board organized now so that the property could be turned over to the counties on January 1st. The section was stricken out. Achi wanted the Superintendent of Public Works made a member of the Board, which was lost, and he was made the executive officer of the Board.

### AFTERNOON SESSION.

Senator Brown introduced a new amendment providing that all expenses of circuit courts shall be paid by the counties. The salaries in force January 1, 1904 in the courts cannot be lowered by the counties. The bill was then passed a second time to be read a third time today.

### THE WINSTON FRANCHISE.

The Winston franchise bill had an-

## HOME FOR YOUNG WOMEN WANTS CASH ENDOWMENT

Philanthropic Women Ask for Six Thousand Dollars to Build a Needed Institution.

A strong movement is now being made to raise the sum of \$6,000 for the establishment of a home for deserving young women who earn a livelihood in this city, and, also, for a safe and sheltered place where the female graduates of the public and private schools may reside temporarily, or otherwise, either when employed or when out of employment. It is intended that the institution shall aid the girls to secure the advantages given them by their education. It will furnish board and lodging at reasonable prices, and make the environment of the place pleasant and attractive.

In addition to this, there will be connected with it a social settlement. Mrs. May Wilcox's sewing and weaving classes, Miss Adams's lace industry, Miss Laura Green's cooking classes, will be brought under one roof and management. Besides these features of the plan, there will be a dispensary, conducted by a competent nurse, who will give instruction to mothers in the matter of children, and a regular, systematic visitation among the poor who are crowded into the thickly-settled district of Kakaako will be carried on. Instruction in these visitations will be given in the ordinary sanitary matters

other little turn in the Senate, but it ended with the bill as dead as when it was tabled on motion of Senator McCandless, the introducer.

Senator Dickey, chairman of the special committee returned the bill with the recommendation that it be "laid on the table, there to repose until it is the desire of the Senate to take it therefrom."

### FUN WITH ACHI.

Senator Achi rose to object to the report and said that it should be rejected and thrown out of the window. He began to start in with the old arguments when Senator Isenberg interrupted:

"Don't talk an hour."

"I have a right to present my views," returned Achi.

"Oh, stop, let us do some work," interjected Brown.

"I move to lay the report on the table to be taken up with the bill," said Senator Dickey.

"I object," said Achi, getting angry. "I won't be shut up by the Senator from Maui. I've got a right to talk."

"We are getting tired of hearing you," said Brown.

"We should pass the bill," continued Achi. "The committee is inconsistent, they passed the Kaula franchise without a vote against it. I joined the Republican party because I thought it the party of progress; because—"

"Better come back to us," interrupted Woods.

"The people want this railroad. I got no interest in it, no money invested, or shares. I won't get no benefit," continued Achi.

"Got lots of land, though," was whispered.

The motion to lay the report on the table was lost, 6 to 5.

Senator Achi renewed his motion to reject, which carried 6 to 5. Dickey refused to vote (which would have made it a tie) saying that he didn't care whether the report was rejected or not.

Senator Crabbe moved to pass the bill.

"Can't do it; it's in the hands of the committee now," said Dickey, "and not before the house."

"I move that the committee be ordered to report the bill to the house," said Crabbe. "If you want to bulldoze, I'll do a little of it myself."

The motion was lost, 6 to 5, and Senator Dickey with the consent of the committee offered to return the bill. The offer was rejected by vote of the Senate and the bill still rests with the committee.

### MORE MONEY FOR QUEEN.

The six months salary bill was then taken up. On motion of Senator Isenberg the settlement on Liliuokalani was increased from \$2,500 to \$3,750; the Home Rulers voting with the mover.

The salary of the superintendent of the water works was increased from \$10 to \$600; for Wailuku and Kahului water systems, \$300 to \$450. The pay roll for the Honolulu fire department was increased from \$30,885 to \$31,410. An item of \$300 was inserted for Wailuku fire department.

### FIGHT ON PILOTS.

Senator Crabbe moved to increase the salary of four pilots, Honolulu, from \$4,800 to \$7,200. He favored a salary of \$300 per month for Honolulu pilots, and \$200 for Hilo and Kahului. McCandless and Brown both objected to an increase. Crabbe said he favored fees for pilots and reduction of port charges.

"It would be the best government job in the Territory," replied Brown.

of domestic economy, so that the women will learn the great value of common sanitary precautions, and each of them will aid in reducing the death rate, especially among children. It is claimed that there is no more economical way of preserving the health of the people of the city than by this plan of reaching them in their homes.

All of the objects for which the association will work, are to be united under one competent and experienced manager.

One of the most important features of the plan will be the care and protection of young women without regard to race who are temporarily out of employment. It is probable that the native girls who are graduates of the schools will especially need care, but it is not intended that they shall be objects of charity. To these the home will be in the nature of a wayside inn, which welcomes them when they are temporarily out of work, and in which they will find protection and advice.

The directors of the home are: Mrs. Henry Waterhouse, president; Mrs. May Wilcox, vice-president; Miss Lucy Adams, secretary; Miss Ida M. Pope, treasurer; Mrs. Fred Macfarlane, auditor; Mrs. S. C. Allen, Miss Laura Green.

"Under the receipts for the past two years the salary would be over \$7,000 a year. I'd like to be a pilot. It's better than practicing law, and I could do that, too."

"The pilots of San Francisco are guaranteed \$750 a month," replied Crabbe. "I'll bet there are nights here when you wouldn't go out to a boat for \$10,000."

"I wouldn't," said Dickey.

The item was passed at \$6,000, giving pilots in Honolulu \$275 a month. A salary of \$200 a month was fixed for Hilo and Kahului pilots, and the practice of collecting fees is abolished.

### SALARY FOR HEALTH PRESIDENT.

Senator Crabbe moved to insert "Salary, President Board of Health, \$300 a month."

Dickey objected that no competent physician could be had to take the position at that salary. Crabbe said the president wasn't likely to be a physician, that there were five laymen on the board, and very likely a layman would be elected president. The item carried at \$1,800, the president also to be the executive officer and to devote all his time to the work. The title of executive officer was changed to chief health officer, Crabbe and Isenberg both saying it was necessary to retain Dr. Pratt in that office. The salary of the secretary to the Board of Health was increased from \$1,050 to \$1,200; that of milk and pol. inspector, Honolulu, \$450 to \$600.

The item of \$10,140 for government physicians was stricken out without discussion. Instead, an item of \$5,000 for Board of Health agents was inserted.

### ROASTING BERGER.

When the item for pay of bandmen was reached, Senator Isenberg, chairman of the Special Committee to Investigate the Band, reported. He said the band boys had complained that they were fined when they were sick. Kappelmeister Berger was interviewed on the subject, and he "declared that they had no need to be sick," all of which the committee thinks is ridiculous. The committee recommended that the band boys be paid when they were sick. And if sick more than twenty days that they be given half pay after that time. The committee also recommends that the band play only a half hour at steamers, especially the Island steamers. Senator Isenberg added that one of the boys had complained that he had been absent four days, and that his salary was deducted and he was fined \$10 in addition.

"Captain Berger said this was all nonsense about the boys being sick," Isenberg stated. "He says he was never sick, and that no person need be sick if they take care of themselves."

The committee recommended that the appropriation be cut from \$7,500 to \$6,589 for twenty-seven bandmen instead of thirty, as the smaller number only were needed. An item of \$1,800 for emergency was recommended, to be used in paying extra men when the regular players became ill. The committee's recommendations were incorporated in the bill.

A concurrent resolution, introduced by the committee, providing that no man shall have his salary deducted if he is sick and produces a physician's certificate, and that the band play at steamers for only half an hour, was adopted.

The salary of regimental quartermaster clerk was increased from \$600 to \$750.

On motion of Senator Crabbe a new office was created within the Secretary's office, that of statistician, at \$900 for six months. An item was inserted also of \$750 for the establishment of this bureau.

The bill passed second reading with an amendment providing that any unexpended balance in any of the appropriations at the end of the present year, shall be turned over to the Board of Public Institutions. The bill will be read a third time today, being put on the special order of the day.

The Senate again adjourned for the day, and the Long bill seems doomed to die an early death.







**Hamburg-Bremen Fire Insurance Co.**

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of  
F. A. SCHAEFER & CO., AGTS.

**German Lloyd Marine Insurance Co. OF BERLIN.****Fortuna General Insurance Co. OF BERLIN.**

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.  
F. A. SCHAEFER & CO.,  
General Agents.

**General Insurance Co. for Sea River and Land Transport. of Dresden.**

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.  
F. A. SCHAEFER & CO.,  
Agents for the Hawaiian Islands.



Such as carried by us leave no room for criticism.

You will find jewels in our stock, mounted to perfection.

No new thing escapes our notice, likewise do we originate new pieces on new lines, and can please in every way.

**H.F. WICHMAN**  
BOX 342.

**NO MONEY FOR THOMAS SQUARE**

Contractor C. B. Dwight is having a rather difficult time in getting the money on his contract for building sidewalks about Thomas Square. Some time ago it was discovered that he could not be paid from the appropriation as it stood, and the money would have to be reappropriated. Then a concurrent resolution was passed in both Houses, making the necessary appropriation. Now the auditor has again refused to issue the warrants, and gives as a reason the unanswerable argument, that the Legislature cannot appropriate money by concurrent resolution. The matter will therefore again be presented to the House, and probably a joint resolution adopted. A joint resolution has to have the governor's signature, which according to the auditor is necessary before any money can be appropriated or paid. The Attorney General has rendered an opinion in the matter, also, in which he sustains the auditor.

**CARRIES THE STRAIN**

Quite a strain on a child to grow. You find it about all you can do to live along as you are and keep well. Your child has to do all that and grow besides. Some children can't stand the extra strain. They get weak and sickly as a result of it.

This is where Scott's Emulsion does some of its best work. It is a strong "growing" medicine. It starts up new life in the backward child and strengthens the weak ones.

Scott's Emulsion takes all the extra strain and carries the children along until they are strong enough to stand it alone.

We'll send you a little to try, if you like.  
SCOTT & BOWNE, 409 Pearl Street, New York.

**FRANCHISE BILL FOR THE ELECTRIC**

(Continued from Page 6.)

The motion to increase to \$3,750 was lost. The vote stood five (four Home Rulers with Woods) to five, Isenberg and Achi not voting. President Crabbe said he would count those not voting in the negative.

Senator Kaohi moved to strike out the settlement of \$100 upon Mrs. Kau-lua. He said she had been married, and had property besides. Carried.

In the Secretary's office an extra clerk was provided at \$600. The Electoral Registrar was stricken out.

Senator Kahu moved to increase the salary of the second Deputy Clerk from \$800 to \$875.

There was some discussion over an extra stenographer for the third judge, but there was no change as an extra stenographer is provided for the Judiciary Department. The salaries of Portuguese Interpreter and Honolulu district court clerk were raised from \$600 to \$750. Judge Dickey's salary was increased from \$600 to \$750. Wilcox's salary from \$1,250 to \$1,500.

The following changes were also made: Salary clerk second circuit, increased \$450 to \$500; district magistrate, East and West Kau, \$450 to \$550; clerk South Hilo district court, \$300 to \$450; clerk fifth circuit, \$450 to \$550; Deputy Sheriff of Waimea, Kauai, \$420 to \$600; clerk to Sheriff of Kauai, \$300 to \$600; Clerk to Sheriff of Hawaii, \$600 to \$750; jailer, Oahu prison, \$300 to \$1,000; police of Hawaii, \$17,280 to \$18,750; police of Oahu, \$43,590 to \$48,480; detectives, \$2,100, to be under control of Attorney General; Registrar of Public Accounts, \$1,350 to \$1,500; legal assistance for Tax Bureau, \$1,000, stricken out; salaries clerks in Bureau of Conveyances, \$3,830 to \$4,000; judge under Torrens act, \$1,500, inserted; draughtsmen, etc., Assistant Superintendent, \$2,250, cut to \$1,500.

**ELECTRIC INSPECTOR FIGHT.**

Senator Achi moved the reinsertion of the item of \$1,200 for Electrical Inspector. Senator C. Brown said the Electrical Engineer could do the work. Paris stated that Frazee, the Electrical Engineer, had informed the Public Lands Committee that he could do the work if he had an assistant. McCandless said \$100 a month could be saved by providing a cheap assistant for Frazee. Motion lost.

An increase of \$600 was made in the payroll for electric light to include an assistant for Frazee.

Other changes made were: Pay light-house keepers, \$2,367.50 to \$2,667.50; market keeper, Honolulu, \$300 to \$450; assistant \$150 to \$240; market keeper, Hilo, \$180 to \$240.

At this point a motion to adjourn was made and carried 6 to 5, the five Home Rulers and Woods voting for it. Senator C. Brown asked a reconsideration to allow him to bring in a report on the Governor's county bill message, and the vote was reconsidered. The bill making the amendments suggested then passed first reading.

Senator Brown moved a recess until evening, to take up the municipal bill, saying if the Long bill had to be passed he wanted time to make necessary amendments. Senator J. T. Brown moved to adjourn. The recess motion was lost, 6 to 5, and adjournment was then taken until this morning.

**WHAT THIS MAN SAYS**

Only Reechoes the Sentiment of Thousands in Our Republic.

The Honolulu reader is asked to thoroughly investigate the following. This can readily be done as the gentleman whose statement is published below will be only too pleased to give minute particulars to anyone enquiring not out of idle curiosity but if the enquirer really suffers from any of the consequences which always attend weakened or inactive kidneys. Read carefully what this gentleman has to say:

Mr. J. D. Conn, of this city, is a carpenter by trade, and is employed at the Oahu railroad. "I was troubled," says Mr. Conn, "with an aching back. The attacks occurred periodically for years, and especially if I happened to catch cold. There were also other symptoms which plainly showed that my kidneys were out of order. A short time ago, I heard about Doan's Backache Kidney Pills and the wonderful things they were doing."

Proceeding, then, to Hollister & Co.'s drug store, I obtained some of these. Since taking these pills there is a great improvement in me. I always keep some of the pills on hand now so as to be provided for any contingency. I feel sure if anyone troubled as I was should give Doan's Backache Kidney Pills a fair trial they will not fail to be benefited by them."

Doan's Backache Kidney Pills are sold by all druggists and storekeepers at 50 cents per box (six boxes \$2.50) or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

Remember the name, Doan's, and take no substitute.

**COUNTY BILL APPROVED BY THE GOVERNOR****He Sends His Message to Legislature, But Recommends Changes In the Act.**

(From Thursday's Daily.)

Governor Dole signed the County bill shortly before noon yesterday and Secretary Carter immediately communicated the fact to the Legislature. In the Senate the notice was received without display, and but for Kalaokalani there would have been no reference to the fact. He wanted to adjourn and cheer, but the more sedate members squelched any demonstration.

In the House the message was received shortly after noon and, at adjournment, the members relieved their minds by three cheers.

**MESSAGE RECEIVED.**

Immediately upon the opening of the Legislature in the afternoon a message from the Governor was sent to both Houses recommending changes and amendments in the bill, as passed. This message was as follows:

**GOVERNOR'S MESSAGE.**

I have approved the County bill "providing for the organization and government of counties and districts, and the management and control of public works and public institutions therein."

There are however some features of the law which are in my opinion objectionable, and which should, for the sake of the clear understanding of such law by the public and its successful application to the objects intended, and for removing as far as possible all legal complications from the administration of public affairs under its provisions, be removed by amendments.

These objections are as follows: Section 476 provides that "all property in the hands of any road authorities within the Territory on the fourth day of January, A. D. 1904, shall become the property of the County in which the same is located."

Section 477 provides, referring to the transfer of jail property to counties, that, "all property so transferred shall be the property of the County."

Section 268, division 13, provides that "all fees or costs . . . arising from the sale or lease of property by this or any law of the Territory placed under the control of such County," shall be payable into the treasury of the County and used for paying County expenses."

As the greater part of the property which will be turned over by the Territorial Government to the Counties upon their organization, will be public property which was transferred by the Republic of Hawaii to the United States under the Joint Resolution of Annexation, and by the United States placed in charge of the government of the Territory, to be cared for and maintained by it for its own use "until otherwise provided by Congress or taken for the uses and purposes of the United States;" (Sec. 91, Organic Act) the above provisions making such property the property of the counties to be sold or leased by them, is an attempt to amend Section 91 of the Organic Act, and also Section 73, neither of which can be amended except by Congress.

The provisions referred to are unnecessary for the due administration of County Government, as Section 482 provides that it is "the intention of this act that in all cases where by this act, any county officer or Board is charged with the performance of any duties heretofore performed by Territorial officials, the use of all property heretofore used by such Territorial officials for the discharge of such duties, shall be transferred to such County officer or Board."

Chapter 69 relating to the transfer of Territorial water works to the Counties where such water works are situated, is of doubtful legality, as being inconsistent with Section 91 of the Organic Act above referred to, for the following reason: Although under the provision of the Organic Act, (Section 56) authorizing the Legislature to create counties and town and city municipalities . . . and provide for the government thereof, such public property belonging to the United States but held by the Territorial Government, which is obviously necessary for the internal administration of such subordinate governments, may be turned over to such governments for such purpose, the Legislature has no power to go further, and the Territorial Government may not, under the responsibility imposed upon it by Section 91 and Section 73, surrender such property as is not necessary for the internal administration of such subordinate governments.

It cannot be reasonably argued that the conduct of water works is essential to the administration of County or Municipal governments. It is a common status in many cities on the mainland, that the water used by the inhabitants for domestic purposes, is furnished by private companies.

The same reasoning applies to the proposed transfer of the apparatus and equipment used by the Territorial government in lighting streets and public buildings as provided in Chapter 70. Section 171 provides that "the duties required by the provisions of Chapter 19 of the Civil Laws of 1897, to be performed by the Commissioner of Boundaries, shall be performed by the County Surveyor of the County in which the lands in question are situated."

Section 172 provides that the fees to be paid such Commissioner of Boundaries shall be paid into the County treasury. These sections attempt to amend section 73 of the Organic Act, which provides that the laws of Hawaii relating to the settlement of boundaries, except as changed by such act, "shall continue in force until Congress shall otherwise provide."

Section 384 provides that the Territorial Board of Public Institutions shall provide for the care, maintenance and employment of all inmates confined in any penal institutions in the Territory.

This provision conflicts with the 22nd division of Section 22, which gives County Boards of Supervisors jurisdiction and power to provide for the working of prisoners confined in County jails under conviction of misdemeanor; and also with division 6 of Section 90, which provides that the County Sheriff shall "take charge of and keep the County jail and prisoners therein."

Section 483 provides that "immediately after the passage of this act, it shall be the duty of the Territorial Board of Public Institutions by this act provided for, to organize in the manner required herein."

As other provisions of the act refer to the fourth day of January, 1904, as the time when such Board shall begin to exercise its powers, the provision of Section 483 must contain a mistake as to the time for its organization, which should be January 4th, 1904.

There is some vagueness in the act as to the status of the Superintendent of Public Works after the installation of County Governments. I would recommend definite legislation making him the executive officer of the Territorial Board of Public Institutions.

In view of the foregoing suggestions, I recommend immediate legislation amending the County Act in accordance therewith.

SANFORD B. DOLE,  
Governor.

Executive Chamber, Territory of Hawaii, April 22nd, 1903.

**AMENDMENTS ARE MADE.**

Senator Paris moved to refer the message to the Judiciary Committee with instructions to prepare a bill covering the Governor's recommendations. Carried.

Just prior to adjournment Senator Cecil Brown, chairman of the committee, reported back a bill which covered all the objections of the Governor. Amendments were made making the Superintendent of Public Works the executive officer of the Board of Public Institutions, and one changing the sections by which the roads are turned over to the county. Instead the roads, and various public works, are turned over to the proper officials simply for the use of the county. The sections relating to water works and public electric lights are repealed in part, and the bill covers all the changes suggested by Governor Dole.

The bill passed first reading and will be read the second time today. It is doubtful however if it will get through at this session, and for this reason some of the legislators believe that the session will be extended. There are but five more days of the session, and the bill would have to be rushed through both houses without a day's delay in order to become law.

**SKIN TORTURES**

And Every Distressing Irritation of the Skin and Scalp Instantly Relieved by a Bath with CUTICURA SOAP

And a single anointing with CUTICURA, the great skin cure and purifier of eruptions. This is the purest, sweetest, most speedy, permanent, and economical treatment for itching, disfiguring, itching, burning, bleeding, scaly, crusty, and pimply skin and scalp humors with loss of hair, and has received the endorsement of physicians, chemists, and nurses throughout the world.

**Millions of Women**

USE CUTICURA SOAP, exclusively, for preserving, purifying, and beautifying the skin, for cleansing the scalp of cruds, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, in the form of bath for annoying irritations, inflammations, and chafings, or too free or offensive perspiration, in the form of washes for ulcerative weaknesses, and for many sensitive and delicate purposes which readily suggest themselves to women, and especially mothers, and for all the purposes of the toilet, bath, and nursery. No amount of persuasion can induce those who have once used it to use any other, especially for preserving and purifying the skin, scalp, and hair of infants and children. CUTICURA SOAP combines delicate emollient properties derived from CUTICURA, the great skin cure, with the purest of cleansing ingredients and the most refreshing of flower odors. No other medicated soap ever compounded is to be compared with it for preserving, purifying, and beautifying the skin, scalp, hair, and hands. No other foreign or domestic toilet soap, however expensive, is to be compared with it for all the purposes of the toilet, bath, and nursery. Thus it combines in ONE SOAP at ONE PRICE, the best skin and complexion soap, the best toilet soap and best baby soap in the world.

**Complete External and Internal Treatment for Every Humour.**

Consisting of CUTICURA SOAP, to cleanse the skin of cruds and scales and often the thickened cuticle, CUTICURA Ointment, to instantly allay itching, inflammation, and irritation, and soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. A SINGLE BATH is often sufficient to cure the most torturing, disfiguring, and humiliating skin, scalp, and blood humors, with loss of hair, when all else fails. Sold throughout the world. Anal. Depot: R. TOWNS & Co., Sydney, N. S. W. So. African Depot: LEXNOR LTD., Cape Town. "All about the Skin, Scalp, and Hair," free. POTTER DRUG AND CHEM. CO., Sole Props., Boston, U. S. A.

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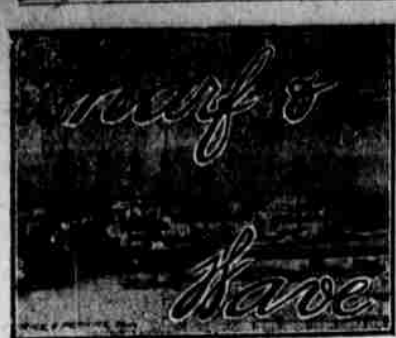
**A Kau Japanese Naturalized.**

Joe Makino is a storekeeper at Naelehu, Hawaii. He is one of the most influential Japanese residents in the district. Recently he has applied and been granted with the first paper of naturalization by Judge Edings. It is said his application was endorsed by members of the Kau Republican Club as well as the plantation managers. Joe is an elder brother of Fred K. Makino of this city—Hawaii Shinto.

THE FIREMAN is in great danger from falling bricks or timbers as well as from the flames. No fire department is properly equipped without a supply of Chamberlain's Pain Balm. This liniment is unexcelled for burns and bruises. One application gives relief. Try it. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., agents for Hawaii.







## ROYAL Baking Powder

Makes the bread more healthful.

Safeguards the food against alum.

Alum baking powders are the greatest menaces to health of the present day.

## CELEBRATE RAILROAD WORKINGS

[Special by Wireless Telegraph.]

HILLO, Hawaii, April 22.—At a public meeting called for the purpose of celebrating the opening of the new line of the Hilo and Kohala railroad, the date set for the ceremony is July 4th. The committee which will have charge of the affair is as follows: C. C. Kennedy, E. E. Richards, F. Holmes, J. A. Scott, J. C. Ridgway, J. H. Smith, W. W. Haworth, C. A. Stobie and J. T. Stacker.

### Trains Come to Hilo.

[Special by Wireless Telegraph.]

HILLO, Hawaii, April 22.—Trains on the Hilo railroad began running today on the extension as far as the Hilo lumber yards. The line will be completed to the station in a few days.

### Hilo Shipping.

[Special by Wireless Telegraph.]

HILLO, Hawaii, April 22.—The steamer Kinu arrived at 2:30 o'clock today. The Hawaiian-American steamer American sailed this afternoon. The Roderick Dhu sailed yesterday with a full load of sugar.

### Rains on Big Island.

[Special by Wireless Telegraph.]

HILLO, Hawaii, April 22.—It is still raining steadily in Hilo. Light rains are reported throughout Hamakua. The weather is very hot.

## ITALIAN FISHERS AT THEIR WORK

The Italian fishermen who came to Honolulu several weeks ago with a launch and other small boats, to engage in the fisheries business and to show the local fish-catchers how to trap the finny tribe around Oahu, have not yet succeeded in wresting the palm from the sampan Japanese. It is only during the past week that the Italians have renewed fishing off Honolulu harbor and brought the results of their catches to the fishmarket. For some time they have been cruising about Waianae on the lookout for new and undeveloped banks, but found it wise to come back to the old fishing grounds off Honolulu and Waikiki. They use a launch and a couple of row boats. Their boats are equipped with tanks through which the water courses at all times, and in this way they are enabled to keep their catches alive until the shore is reached. The Italians bring in their catches daily and are making a fair living, but they have found that catching fish in Hawaiian waters and on the Coast are two distinct propositions. They are hard put to keeping pace with the Japanese anglers.

## MUTINY ABOARD EDWARD SEWELL

News came from Manila by the Doric yesterday that a mutiny had taken place aboard the American ship Edward Sewell while that vessel was en route to Manila via Shanghai, and the mutineers were handed over to the American authorities at Shanghai. The Edward Sewell is now out twenty-one days for Honolulu from Shanghai.

### Sierra Sails for Honolulu.

W. G. Irwin & Co., agents for the Oceanic Steamship Company, received a cablegram yesterday announcing that the Sierra had left San Francisco for Honolulu and the Colonies at 2 p. m. yesterday.

### Shipping Notes.

The bark Edward May sailed from San Francisco for Makawili with a cargo valued at \$11,053.

The schooner Muriel sailed on April 11 from San Francisco for Hana with a cargo valued at \$5,224.

The schooner James Rolph sailed from San Francisco for Honolulu on April 13 with a cargo valued at \$2,081.

### DUE TODAY.

Steamer Mauna Loa from Kona ports this forenoon.

A-H. S. S. Nevada, from S. F.

WHOOPING COUGH is neglected, leads to more serious diseases. Chamberlain's Cough Remedy will keep the cough loose, allay the irritation and counteract any tendency toward pneumonia. It always cures and cures quickly. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., agents for Hawaii.

## IROQUOIS NOT TO GO TO MIDWAY

Captain Rodman, commandant of the Naval Station, received a cablegram yesterday stating that the Iroquois would not be ordered to Midway Island for observations in connection with the establishment of the cable station on Sand Island. The intimation was given that some other war vessel had been designated for this purpose.

As both the Alert and the Mohican, training ships, are now at the coast, there seems to be ground for believing that one or the other of these ships may be sent to Midway, as either boat would answer just as well as the Iroquois, and it would be a splendid opportunity for instruction to the apprentices. The naval officers have another guess, however, as to which warship is to go to Midway. Some think that the gunboat Princeton, now en route from the Asiatic station to San Francisco, has been ordered to make a stop at Midway.

## Who Will Save Fannie Kerr?

The story of how the derelict Fannie Kerr drifted from the South seas to the China coast, and how she is still drifting there is thus told by the Japan Gazette of April 8th:

The sea is ever adding to its strange and wonderful stories, and the case of the Fannie Kerr, to which brief reference was made in our columns the other day, furnishes one more instance of the vastness of the ocean and its solitude even in these days of myriad vessels, says a contemporary. The Fannie Kerr was a British, four-masted, steel barque, of 2,426 tons, built in 1892 at Liverpool. She was commanded by Captain Gibbons, and in April last year left Newcastle, N. S. W., bound for San Francisco with a valuable cargo of coal. The last heard of her was on the 6th June, when her captain and crew landed at Kauai, an island in the Hawaii Group, made their way to Honolulu, and eventually secured passage by steamer to San Francisco. The captain reported that he had been compelled to abandon his vessel, which had been totally destroyed by fire. Claims were made on the Insurance Companies, which paid up the full amount of their obligations. Ten months later, the S. S. Heathdene reports the derelict to be still smoldering and to have drifted as far as Formosa; very nearly to the place where the Otelia Petersen was stranded last November. Moreover, it is still drifting and dangerous.

A surmise which may possibly explain how it comes that the derelict should survive so long is that the captain, finding his holds hot when in the neighborhood of Hawaii, and not having a possibility of seeing more land for a considerable period, abandoned the vessel; that the coal subsequently fused, as Australian coal will, and that it has continued to smolder in the water since. The barque is a fine steel vessel, and may yet prove valuable salvage.

## Long Run to Kahului.

There is some slight uneasiness in shipping circles over the long run being made by the schooner Emily F. Whitney for Kahului. The schooner reached this port on the 5th of April, with a cargo of nitrate, and asked quick dispatch as she was chartered to go at once to Kahului and load sugar for San Francisco. She was given what she asked. In fact, an extra large force of men was put at the work, with the result that her nitrate cargo was taken out of her in a couple of days, and she sailed for Kahului from Honolulu on April 8th. At last advice she had not reached that port, and nothing has been seen of her by any ship coming into port.

The Emily F. Whitney is a four masted schooner, owned in San Francisco and is commanded by Captain Wirshuleit.

## THE ARRESTS AT RUK BY GERMANS

BOSTON, April 11.—News of the arrest of a number of native graduates from a mission school at Ruk was received today by the American Board of Foreign Missions.

Ruk is one of the Caroline Islands. The arrests were made by the captain of a German warship, who carried his prisoners 30 miles to Ponape, the seat of the German government in the islands.

The advices were from Rev. William L. Stinson, who said the arrest was made on the ground that the natives preach against the German government. The natives were seized December 26. They were still held on February 16, the date of Mr. Stinson's letter. The officials of the American Board have informed the State Department of the arrests, requesting that steps toward redress be taken.

Shipping Commissioner Holt received a letter by the Doric from Captain Quick of the Edward Sewell, dated Shanghai, March 31, stating that he was to sail that day for Honolulu, with 1,200 tons of ballast. Everybody was reported well. No mention was made of a mutiny aboard the vessel.

## REAL ESTATE TRANSACTIONS

LIST OF DEEDS FILED FOR RECORD April 16th, 1903.

First Party Second Party  
Naholehula et al. E. L. Peterson  
Ter. of Hawaii, T. C. Davies  
Lupine et al. Livana  
E. O. White, H. M. Von Holt, Fr.  
A. A. White, H. M. Von Holt, Fr.  
M. Fernandez, Lewers & Cooke, Ltd.  
April 17.  
Fr. Oahu Col. Jno. A. Matthewsman  
J. P. McDougall & Co.  
April 18.  
W. Kelle, Pioneer Bld. & Loan As. D.  
Kenia, B. Kahawai  
J. E. Ray et al. N. T. Ikeda  
J. A. Magoon, A. de M. Souza  
April 19.  
M. G. Duarte, J. Sardinia  
C. Alin et al. Aina Seong  
M. Nunes et al. J. de Costa  
Keauale, I. Puni  
J. P. Fernandez, G. N. Wilcox  
J. V. Fernandez, M. V. de Coito

D. 4-5 int in po land, Koolaki, Waimea, Kauai; \$200. B 248, p. 290. Dated April 7, 1903.  
E. Wilkins & hsb to A. N. Haystack; D. 1-7 int in R P 415, Kul 75, Honokohau, Lahaina, Maui; \$34. B 248, p. 291. Dated April 4, 1903.  
E. Wilkins & hsb to A. N. Haystack; D. 1-7 int in R P 415, Kul 75, Kananapali, Lahaina, Maui; \$34. B 248, p. 292. Dated April 4, 1903.  
Rebecca Taylor to Katie S. Dickenson; D. R P 1901, Kul 2745, Lahaina, Maui; \$1 & c. B 248, p. 293. Dated April 4, 1903.  
Laa & hsb to W. A. P. (w); D. R P 5350, Papahou, Waialeale, Maui; \$300. B 248, p. 294. Dated Mar 14, 1903.  
Hoolae (K) to Kepaa (w); D. 10 A int in Hul land, Peahi, Hamakua, Maui; \$20. B 248, p. 295. Dated April 11, 1903.  
Naholehula by High Sheriff to J. Kalkel; D. R P 1128, Haku, Koolaula, Oahu; \$130. B 248, p. 297. Dated Oct 1902.  
Thos Metcalf by Gr. et al. to Emil Klemme; D. por Gr 120, Alapai St, Honolulu, Oahu, for R P 1640, near Alapai St, Honolulu, Oahu; \$2500. B 248, p. 299. Dated April 11, 1903.  
T. Finheira & wf to J. de Ponte, et al.; D. lot 35 of Gr 2575, N. Yaloa, Oahu, Maui; \$300. B 248, p. 300. Dated Dec 30, 1902.  
Maria Bailey & hsb to E. W. Thwing; D. lot 57, cor Anapuni St & Wilder Ave, Honolulu, Oahu; \$1500 mtg \$3000. Dated April 13, 1903.  
Recorded April 14, 1903.  
W. A. Greenwell to Mary C. Dodge; D. lot 2 Bk A, Puunui Tract, Honolulu, Oahu; \$575. B 248, p. 304. Dated June 27, 1902.  
Honukahi (K) et al. to Hattie K. Kahikihiki; D. R P 1387, Kaunahane, Honolulu, Maui; \$1. B 248, p. 303. Dated April 14, 1903.  
Recorded April 15, 1903.  
K. Moke & hsb by mtg to J. F. Bowler; D. R P 2123, Kul 10231, Waialeale, Koolaula, Oahu; \$220. B 248, p. 307. Dated Feb 2, 1903.  
T. K. Lalakea & wf to Jno A. Buck; D. 1-7 int in R P 913, Kamae, N. Hilo, Hawaii; \$300. B 248, p. 308. Dated April 12, 1903.  
Wong Ah Chuek & wf to Ng Fawn; D. lot 1 & 2 of Gr 1022, Weloaka, N. Hilo, Hawaii; \$100. B 248, p. 309. Dated April 14, 1903.  
Launahoehe Sugar Co. to T. C. Davies; D. lot 1 & 2 of Gr 1022, Weloaka, N. Hilo, Hawaii; \$100. B 248, p. 309. Dated April 14, 1903.  
Z. S. K. Paulski & wf to Wm J. Karatti, et al.; D. lot 13, Kekio Tract, Honolulu, Oahu; \$1300. B 248, p. 311. Dated April 15, 1903.  
H. Bush & wf to Territory of Hawaii; D. 1-5 int in Kul 238, Printers Lane, Honolulu, Oahu; \$32.50. B 248, p. 312. Dated April 15, 1903.  
H. Bush & wf to T. C. Davies; D. int in Gr 504 & c, Papahou, N. Hilo, Hawaii; \$3000. B 248, p. 314. Dated Mar 20, 1903.  
Recorded April 16, 1903.  
Naholehula & hsb to D. L. Peterson; D. lot 1 & 2 of Gr 218, Kul 218 & c, Kanae, Honolulu, Oahu; \$1000. B 248, p. 315. Dated Mar 12, 1903.

### FORECLOSURES

MORTGAGEE'S NOTICE OF INTENTION OF FORECLOSURE AND OF SALE.

Notice is hereby given that pursuant to the power of sale contained in that certain mortgage dated June 20, 1900, made by Herbert C. Austin, of Honolulu, Island of Oahu, Territory of Hawaii, Mortgagee, to May T. Wilcox, of said Honolulu, Mortgagee, and recorded in the Register Office, Oahu, in Liber 207, pages 324 to 326, the mortgagee intends to foreclose said mortgage for condition broken, to wit: the non-payment of principal and interest when due.

Notice is likewise given that the property conveyed by the said mortgage will be sold at public auction by I. E. Ray at the Court House in Hilo, Island of Hawaii, Territory of Hawaii, on Thursday, the 21st day of May, 1903, at 12 o'clock noon of that day.

The property covered by said mortgage and intended to be sold as aforesaid, consists of:

1. All that certain piece or parcel of land in the town of Hilo, Island of Hawaii, Territory of Hawaii, being a portion of the land described in Royal Patent (Grant) Number 252, situated at the junction of Ponahawai and Pleasant streets, E. homakana ana ma ka hula alaula e holo ana laka e pill ana me ke alaula Ponahawai, Hem. 44 1/2 Kom. 215 Kap.; alaula Hem. 35 1/2 Hk. 153 Kap. e pill ana me ka alaula e Kalaui; alaula holo i ka Ak. 44 1/2 Hk. 215 Kap.; alaula Ak. 35 1/2 Kom. 153 Kap. e pill ana me alaula Pleasant a hiki i kahi i homakana al. Maloko oia apana alana Eklou Hapaha Eka, o aku e mi mai paha, and being one-half of the House Lot described in deed from S. W. Pa to Mary Hanuna, dated June 6, 1896, and recorded in the Registry of Deeds in said Honolulu in Liber 159, pages 406, 408 and 407.

2. All that piece or parcel of land situate at Ponahawai in Hilo, Island of Hawaii, Territory of Hawaii, being a portion of said Royal Patent (Grant) No. 252, beginning at the East corner of Beckie Brewster's Lot, now owned by said Herbert C. Austin, and running:

South 44° W. 215 feet along said lot; South 35° 1/2 E. 153 feet; North 44° E. 215 feet along Chinese Cemetery; North 35° 1/2 W. 153 feet along Pleasant street to place of beginning. Containing an area of three-fourths of an acre more or less; and being the same premises described in deed of Mary Hanuna to said Herbert C. Austin dated December 16, 1898, and recorded in said Registry in Liber 189, page 84.

3. All that tract of land and premises situate at Kaunama, District of Hilo, Island of Hawaii, Territory of Hawaii, known as Kaunama Lot No. 22, and bounded and described as follows:

Beginning at the Southwest angle of Lot 21, the boundary runs by true bearings, North 254° 4' along Lot 21 to a pile of stones near Red XXI XXII at North angle in middle branch of flow; South 55° 03' W. 1450 feet along boundary of Crown Lands of Ponahawai; South 60° 13' W. 2345 feet along same to a pile of stones marked XXII on main flow; South 25° 48' W. 665 feet along flow to pile of stones at the Southwest angle from which point the Hawaiian Government survey (triangle) 2nd Station "Wahemaunaula" bears true... distant... feet; East true 3516 feet along South branch of flow to the initial point, containing an area of 16.00 acres and being the same land described in Patent No. 4266 (Grant) on time payment to J. W. Bergstrom, dated December 16, 1898.

4. All that tract or parcel of land situate in the District of Hamakua, Island of Hawaii, Territory of Hawaii, known as Lot Number 8 of Hamakua Homesteads, and being more particularly described in Royal Patent No. 4063 to M. M. Gosmao, and by said Gosmao conveyed to I. E. Ray by deed dated December 16, 1898, and recorded in said Registry in Liber 189, pages 86 and 87, and in deed from said I. E. Ray to the said Herbert C. Austin by deed dated June 15, 1900, recorded in said Registry in Liber 210, page 129. This land has an area of 15 acres and is planted in cane.

Together with all the improvements, rights, easements, privileges and appurtenances thereto belonging.

Terms: Cash, United States Gold Coin. Deeds at the expense of the purchaser. For further particulars apply to W. O. Smith, Judd Building, Honolulu, or I. E. Ray, Hilo, Hawaii. Dated Honolulu, April 16, 1903. MAY T. WILCOX, Mortgagee.

EMILY SANFORD.

MORTGAGEE'S NOTICE OF INTENTION OF FORECLOSURE AND OF SALE.

NOTICE IS HEREBY GIVEN that pursuant to the power of sale contained in that certain mortgage dated August 27, 1900, made by EMILY SANFORD, of Honolulu, Island of Oahu, Territory of Hawaii, Mortgagee, to W. O. Smith, Trustee for S. W. Wilcox, of said Honolulu, Mortgagee, and recorded in the Register Office, Oahu, in Liber 214, pages 154-6, the mortgagee intends to foreclose said mortgage for condition broken, to wit: the non-payment of principal and interest when due.

Notice is likewise given that the property conveyed by the said mortgage will be sold at public auction at the auction rooms of James F. Morgan, Queen Street, said Honolulu, on Saturday the 25th day of April, 1903, at 12 o'clock noon.

The property covered by said mortgage and intended to be sold as aforesaid, consists of:

First: All that piece or parcel of land situate on Quarry Street, at Kula, Hamakua in Honolulu, Island of Oahu, containing an area of 6000 square feet, more or less, and being the same premises that were conveyed to W. H. Winchester by deed of W. E. Foster, Trustee, dated August 21, 1895, and recorded in Liber 155, page 272, and further described as being a portion of Royal Patent (Grant) No. 3554, and bounded and described as follows:

Beginning at a point on the makai side of Quarry Street 200 7-10 feet from the South side of Alapai Street extension, thence running by true bearings: South 37° 31' West 120 feet along Portuguese Club premises; thence South 52° 30' East 50 feet along Lot 511; thence North 37° 30' East 120 feet, and North 52° 30' West 50 feet along Quarry Street; area 6000 square feet.

Second: All those certain lots, tracts, piece or parcels of land situate on Cartwright Road near J. M. McDonald's residence at Waikiki in said Honolulu, being lots 35, 36, and 37, Kekio Tract, containing an area of 15000 square feet, having a frontage on said Cartwright Road of 150 feet and a depth of 100 feet, and a part of Royal Patent No. 5667 Land Commission Award No. 5931, and the same premises that were conveyed to the said W. H. Winchester by deed of W. C. Achi, Trustee, and C. B. Maile, Trustee, dated May 11, 1897 and recorded in Liber 167, page 442.

The above premises were conveyed to the said Mortgagee by deed of said W. H. Winchester dated August 3, 1900, and recorded in Liber 210 page 194.

Together with all the improvements, rights, easements, privileges and appurtenances thereto belonging.

There is a house on the Quarry Street premises insured for \$400.

Terms cash, United States Gold Coin. Deeds at the expense of the purchaser. For further particulars apply to W. O. Smith, Judd Building, Honolulu. Dated Honolulu, March 26, 1903.

WILLIAM O. SMITH, Trustee for S. W. Wilcox, Mortgagee. March 27—Apr. 24.

AMORY SILVA.

MORTGAGEE'S NOTICE OF INTENTION OF FORECLOSURE AND OF SALE.

NOTICE IS HEREBY GIVEN that pursuant to the power of sale contained in that certain mortgage dated June 26th A. D. 1897, made by Amory Silva, wife of M. E. Silva of Honolulu, Island of Oahu, Territory of Hawaii, Mortgagee, to Maria L. Hoffmann, of said Honolulu, Mortgagee, (since deceased) and recorded in the Register Office, Oahu, in Liber 170, pages 396-7, I. W. O. Smith, Executor of the last will and testament of said Maria L. Hoffmann deceased, intend to foreclose said mortgage for condition broken, to wit: the non-payment of principal when due.

Notice is likewise given that the property conveyed by the said mortgage will be sold at public auction at the auction rooms of James F. Morgan, Queen Street, said Honolulu, on Saturday the 25 day of April, 1903, at 12 o'clock noon of said day.

The property covered by said mortgage and intended to be sold as aforesaid consists of all that piece or parcel of land situate at Kamakela, said Honolulu, and bounded and described as follows:

Commencing at the North-west corner of this lot at angle of two lots and running:

1. S. 4° E. 46 1/2 feet along Front Street.  
2. N. 70 1/2° E. 135.0 feet along the Southern portion of this residence.  
3. N. 30° W. 36 feet along wooden fence.  
4. S. 75° W. 115.4 feet along the Northern portion of this residence to the initial point, and containing an area of 115-1000 of an acre, and being a portion of Royal Patent No. 1758, L. C. A. 980, and being the same premises conveyed to said Amory Silva by deed of J. D. Holt, Junior, dated March 9, 1894, and recorded in the Register Office, Oahu, in Liber 146, pages 195-6.

Together with all the improvements, rights, easements, privileges and appurtenances thereto belonging.

There is a cottage on said premises insured for \$500.

Terms cash, United States Gold Coin. Deeds at the expense of the purchaser.

For further particulars apply to W. O. Smith, Judd Building, Honolulu. Dated Honolulu, March 26, 1903.

WILLIAM O. SMITH, Executor of will of Maria L. Hoffmann, deceased.

The above sale has been postponed for two weeks, to Saturday, May 9th, 1903, at the same time and place.

4642-2481

### VESSELS IN PORT.

#### ARMY AND NAVY.

U. S. Tug Iroquois, Rodman.  
H. B. M. cruiser Amphitrite, Windham, Hongkong, April 19.

#### MERCHANTMEN.

(This list does not include coasters.)  
Alice Cooke, Am. schr., Penhallow, April 6.  
Benjamin F. Packard, Am. sp., Allen, Norfolk, April 15.  
Blakely, Am. schr., Bauman, Nitrate ports, April 20.  
Clau Macfarlane, Swed. ship, Westburg, Newcastle, April 23.  
Coronado, Am. bk., Potter, San Francisco, April 11.  
Janet Stanford, Am. bktn., Mallestadt, April 19.  
Matthew Turner, Am. schr., Treanor, Newcastle, April 7.  
Mohican, Am. bk., Kelly, San Francisco, April 10.  
S. N. Castle, Am. bktn., Nilson, April 19.  
Trongate, Br. bk., Hutton, Nitrate ports, April 9.

#### PASSENGERS DEPARTED.

Per stmr. Helene, for Kawaihae, April 23: A. W. Carter, F. S. Dodge.